

United States  
Circuit Court of Appeals *2*  
For the Ninth Circuit.

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DEXTER HORTON TRUST & SAVINGS BANK,  
Appellant,  
VS.

THE COUNTY OF CLEARWATER of the State  
of Idaho, and OREN D. CROCKETT, as Trea-  
surer of said County, Appellees.

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Transcript of the Record

VOL. 2—Pages 479 to 796 Inc.

**Filed**

APR 5 - 1917

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**F. D. Monckton,**

*Upon Appeal from the United States District Court,  
District of Idaho, Central Division.*

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*PLAINTIFF'S EXHIBIT NO. 3.*

BOOK 1 OF COMMISSIONERS PROCEEDINGS,  
PAGE 406.

Orofino, Idaho, April 15, 1914.

Board met in regular session pursuant to adjournment of Apr. 14, 1914.

Present: Frank Harrison, Commissioner First Dist., Frank Zelenka, Chairman and Commissioner Second Dist., Elmer O. Torgerson, Commissioner Third Dist., Joseph Kauffman, Clerk, by F. N. Shreve, Deputy.

Following proceedings were had, to-wit:

Minutes of Apr. 14, 1914, read and approved.

In the matter of the contract entered into on February 24, 1914, between Clearwater county and M. G. Nease referred to on page 391, Book 1 of the minutes of Commissioners Proceedings of Clearwater county.

The matter of this contract and the order authorizing the execution of same appearing on page 391 of Book 1, Minutes of Commissioners Proceedings of Clearwater county under date of February 24th, 1914, and the consent of M. G. Nease to a cancellation of the same having been filed, which consent is as follows, to-wit:

Orofino, Idaho, April 14, 1914.

*To the Honorable Board of County Commissioners,  
Clearwater County, Idaho:*

Gentlemen:

In relation to contract for the cruising and estimating of lands between Clearwater county and M.

G. Nease bearing date of February 24, 1914, referred to on page 391 of Book 1 Minutes of the Proceedings of the Board of County Commissioners of Clearwater county, beg leave to advise you that I consent to a cancellation of said contract and do hereby waive all my rights thereunder.

Very truly yours,

M. G. NEASE.

and the same having been duly considered and the Board being fully advised in the premises orders that said contract be, and the same hereby is, cancelled and declared null, void, and of no effect and the order authorizing the execution of the same be and the same hereby is set aside, vacated and held for naught, and it is so ordered.

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IN THE MATTER OF THE APPLICATION OF  
THE ASSESSOR OF CLEARWATER COUNTY  
FOR A CRUISE OF THE TIMBER LANDS OF  
CLEARWATER COUNTY AND THE FURN-  
ISHING TO HIS OFFICE OF DATA NECES-  
SARY TO MAKE A CORRECT ASSESSMENT  
OF SUCH TIMBER LANDS.

At this meeting of the Board the matter of having the timbered lands of this county cruised and estimated for assessment purposes was again called to our attention by P. H. Blake, the county assessor, and he again stated to the Board that the timber lands of this county were not bearing their just proportion of taxation and a letter was presented by the assessor to the Board bearing on this subject which letter reads as follows, to-wit:



April 15, 1914.

*To the Honorable Board of County Commissioners  
of Clearwater County, Orofino, Idaho.*

Gentlemen:

As you are aware, I have at numerous times in the past taken up with you the matter of the proper assessment of the lands of this county, and particularly the proper assessment of the timbered lands.

As county assessor I am required by law to assess all lands in the county subject to taxation at their "true cash value".

The assessor's office of this county has no records, information or data that will enable the assessor to determine for assessment purposes the "true cash value" of the timbered lands of this county.

As you well know the major portion of Clearwater county is a rough and mountainous country on which is growing different varieties of timber of varying density and the lands of subdivisions are difficult to locate.

The only manner of determining the value of timber lands is by having a reliable cruise of them made. Which cruise should show the quantity and quality of the various kinds of timber on each sub-division.

The burden of taxation is unequally distributed in this county as there are vast areas of timber land escaping their just share of taxation.

I therefore recommend and request that you take such steps as you deem advisable to cause all of the timbered lands of this county subject to taxation to be cruised in a careful manner and reliable records

of such cruising furnished to this office for the use and benefit of the assessor.

It is absolutely necessary that these lands be reliably cruised and records of such cruisings furnished this office to enable the assessor to comply with the law.

Respectfully yours,

P. H. BLAKE, County Assessor.

This matter has been repeatedly called to our attention by the assessor and parties who are residents and taxpayers of this county and we have previously investigated the matter of having the timbered lands cruised and the advisability and expense of same and also as to the best method to pursue in case we determined that it was to the best interest of the taxpayers of this county to have the lands cruised for assessment purposes, and after due and thorough investigation the board has found that the great wealth of this county is in its timbered lands and that said lands are rough and mountainous and inaccessible to ordinary travel and investigation and further that the quantity and quality and kinds of timber of the different legal sub-divisions varies so that the true cash value of the lands varies greatly and further that the only way of learning and determining the true cash value of these lands is to have the same cruised and estimated and reported upon and further the Board has investigated the assessment rolls of this county and from such investigation have found that the timber lands in the county are not being assessed and taxed at their true cash value as required by law and

that the facts contained in the letter of the county assessor a copy of which appears above are true and that the assessor has no records or cruise or data whereby he can assess these timbered lands at their true cash value and that the said timbered lands are not bearing their just proportion of the taxes but on the other hand are way under valued and that the taxes of the county are not therefore equal and uniform on all classes of property as they should be and further that the said lands are not assessed at their true cash value and the taxes are unequal and not uniform on account of the assessor not having a reliable cruise and estimate of the said lands and the timber thereon, and further we when setting as the board of equalization are required by law to enforce and compel a proper classification and assessment of all property required to be entered upon the real property roll and to raise or lower the assessment on all parcels of property that are not assessed at their true cash value and we find and have found that we cannot do these things for the reason that we have no cruise or estimate of these timbered lands and that for us to be able to enforce and compel a proper assessment on timbered lands it is absolutely necessary that the same be cruised and estimated, and we have previously further thoroughly investigated as to the best and most economical and most satisfactory method of securing a careful, accurate and reliable cruise, that is whether it would be to the best interest of the tax payers of this county to have the cruise made by authorizing the assessor to ap-

point deputies for that purpose or by having the cruise made by some competent person, firm or corporation, and to determine this the Board has corresponded with counties in the Northwestern States that have had their timbered lands cruised and two of the commissioners have personally made an investigation in some of these counties that have had cruises made, and after careful and thorough investigation the Board finds that the most satisfactory method and the most economical and competent cruises are obtained by giving a contract to some competent person, firm or corporation, and requiring such person, firm or corporation to execute a good and sufficient bond for the faithful performance of the work, and whereas M. G. Nease has submitted a proposal to cruise the timbered lands of this county which proposal is in words and figures as follows, to-wit:

Orofino, Idaho, April 15, 1914.

*To the Honorable Board of County Commissioners,  
Clearwater County, Idaho.*

Gentlemen:

I beg to submit for your consideration the following proposal for the examination of the patented lands subject to taxation in Clearwater county.

I will examine and cruise the patented lands situated in Clearwater county between this date and such reasonable date as may be required by your board at and for the price of twelve and one-half cents ( $12\frac{1}{2}$ ) per acre.

I will give a bond in some surety company qual-



ified to do business in this state in such reasonable sum as the county commissioners may require, said bonds to provide for the faithful performance of the terms of the contract to be entered into between the County of Clearwater and myself.

The examination, cruise and report included in this proposal will show the quantity and quality of all timber on each Governmental sub-division, including a full description of the timber as to size, number of logs per tree, percentage of surface clear timber, damage by fire or otherwise, and the probabilities of fire; will describe logging conditions, showing accessibility of timber to market and the best manner of handling same.

My reports will show the general topography of all lands examined and cruised. The topography maps will be sketched to show all openings, clearings, burns, marshes, lakes, rivers, creeks, trails, roads, waterfalls, coal, valuable stone, mineral outcroppings and all other topographic features usually observed by cruisers. Will furnish land classification maps showing a general description of the surface and soil on all lands examined, these maps to describe the adaptability of the lands for agricultural, grazing or other purposes after the timber is removed, all reports to show the elevation of all lands cruised and examined, these elevations to be taken by means of an Aneroid barometer. Upon a witness tree at each section corner located will mark with an ax the letter "N" in such manner as to be easily identified.

This proposal is to be construed as covering every-

thing necessary to make a complete estimate of the timber and a description of all lands cruised and examined, and to include any features which in the judgment of your board would be a benefit and value to Clearwater County.

In case the contract should be entered into between the County of Clearwater and myself I will employ none but the most competent cruisers and assistants, and will not sub-contract any part of the work, and will make a very careful cruise and comprehensive report on all lands examined.

All reports shall be made in such form as shall meet the approval of the County Commissioners of Clearwater County.

Respectfully submitted,

(Signed) M. G. NEASE.

And whereas we have previously made a thorough investigation of Mr. Nease and have investigated the cruising work done by him in other counties for such counties, and have written and talked with the county officials in some of said counties and have found from such investigation that he has had a large experience in this character of work and that the cruises made by him are careful, accurate and honest cruises and that his work has been satisfactory to the counties and that these cruises made by him are being used by the assessors in making up their assessment rolls and are of great value to them and that wherever he has cruised a county it has resulted in equalizing assessments and has given the assessors records and data that enable them to assess timbered

lands at their true cash value, and further the board finds on careful investigation that the price that Mr. Nease offers in his proposal to do the work for, that is twelve and one-half cents per acre, is a reasonable and fair price for the character and kind of work proposed to be done.

Therefore after full and due consideration of the matter and being fully advised in the premises it is concluded and decided by the board that it is absolutely necessary for the orderly and prudent management of the affairs of the county to have the timbered lands in the county cruised and to have records and reports of such cruising made and filed with the county assessor for use by him in making up his assessments and also for use by the Board of Equalization and that it is impossible for the assessor of this county to make an assessment or valuation of the timbered lands of this county within many millions of dollars of their true cash value unless a full and careful cruise of such timbered lands be made and proper data furnished therefor, and that it is to the best interest of the taxpayers of the county that the cruise be made and the proposal of Mr. Nease be accepted and it is accepted and so ordered.

M. G. Nease has also submitted to the Board a contract in writing which he proposes to execute, which said contract is in words and figures as follows, to-wit:

THIS AGREEMENT, Made and entered into this 15th day of April, A. D. 1914, by and between the



County of Clearwater, a municipal corporation of the State of Idaho, acting through Frank Zelenka, Elmer O. Torgerson and Frank Harrison, the legally qualified and acting members of the Board of County Commissioners in of and for said county, party of the first part, and M. G. Nease, of Portland, Oregon, party of the second part.

WITNESSETH: That for the consideration hereinafter provided, to be made and paid to the second party by the first party, the second party hereby covenants, contracts and agrees:

1.

That he will make and cause to be made a careful, complete and thorough cruise and estimate of all the timber on the patented lands situated in Clearwater county, Idaho, said cruise to be completed on or before the 15th day of June, 1915; excepting such of said lands as the first party may from time to time withdraw from this contract, that is to say there are certain lands in Clearwater county of which the assessor knows the true cash value without the necessity of having a cruise thereon, and the first party shall have the right to withdraw such lands from time to time prior to the cruising of same, and the lands so withdrawn shall not be cruised.

2.

That upon said cruise being made from time to time, the second party agrees to make reports of said cruise, said reports to contain topographic sketches showing the elevation of lands above sea level, taken by means of Aneroid barometers, said reports to show

all openings, burns, marshes, rivers, lakes, creeks, trails, roads, waterfalls, valuable stone, mineral outcroppings and all other topographic features observed by the cruisers, said reports and sketches to show a general description of the character of the lands cruised, describing its adaptability for agriculture, grazing or other purposes after the timber is removed, said reports to describe the character of the different varieties of timber, giving the average stump diameter, the average number of 16 foot logs per tree, the percentage of surface clear timber, said reports to describe logging conditions, showing distance to outlet such as railroads or driving streams; said reports to show damage by fire or otherwise, and the probability of fire; and will furnish all blue prints, blanks and binders for reports at his own expense, and all reports herein agreed to be furnished to said first party shall be upon such quality of paper and of the size and form and contain all the data above provided accordingly as shall meet the approval of said first party.

3.

That in making said cruise the second party shall use as a basis in estimating saw timber all trees having not less than a 12 inch stump diameter to an 8 inch top and as a basis in estimating cedar poles all cedar trees not included as saw timber which have a top diameter of not less than six inches 25 feet above the stump all fir and tamarack which shall not be classed as saw timber shall be designated and counted as ties, and for this purpose a tie shall be

considered as being eight feet long and of standard dimensions.

## 4.

The second party shall also as a part of this contract furnish and file with the Board of County Commissioners of Clearwater county, a bond with surety to the satisfaction and approval of the first party in the sum of Ten Thousand dollars, which shall provide that the second party shall faithfully perform all the terms and conditions of this contract on his part to be done and performed, which bond shall continue and be in force and effect from the 15th day of April, 1914, up to and until the 1st day of October, 1915, and no money shall be paid to the second party under the terms of this contract until such bond shall be filed and approved by the said first party.

## 5.

In consideration of the true and faithful performance by the second party of the terms and conditions of this contract on his part required to be done and performed, the first party agrees to pay to said second party or to his order or assigns, a sum equal to twelve and one-half ( $12\frac{1}{2}$ ) cents per acre, for all lands cruised and reported on by said second party, accordingly as aforesaid, which shall be accepted and approved by the first party as follows that is to say:

That at each regular term of the Board of County Commissioners or at a special meeting called for this purpose by said Board of County Commissioners of said county during the life of this contract, said Board of County Commissioners shall examine, ac-

cept or reject all reports filed by the second party prior to said meeting and shall,

Then give to the second party or to his order or assigns, an acceptance or rejection in writing, as the case may be, of the said reports, and all acceptance shall state and specify the amount due the second party for said work; and shall at each meeting above provided, order to be issued to the second party or his order or assigns, county warrants drawn on the current expense fund for an amount equal to 80% of the amount due the second party as shown by the accepted reports, the remaining 20% shall be paid to the second party or his order or assigns within 60 days after the completion of the contract and the acceptance of the work.

6.

It is further agreed by and between the parties hereto, that in case any cruise made by the second party as shown by his said reports shall be disputed and the owner of the timber so cruised desires to have the same recruised, and the Board of County Commissioners of Clearwater county shall make demand therefor, that both parties to this contract shall select some competent cruiser satisfactory to both parties, and the cruiser so selected shall go over and cruise the tracts or tracts in dispute, and the cruise of the party so selected shall be taken as final. If the cruise of the party so selected as arbitrator varies more than 20% above or below the cruise of the second party, then the compensation of said arbitrator and expense of said recruiise shall be paid by the said



second party, but in case the cruise of the arbitrator shall not be more than 20% above or below the cruise of the second party, then the compensation of said arbitrator and expense of said recruise shall not be paid by the second party.

## 7.

It is further stipulated and agreed, that all cruises that shall be rejected by the first party shall be corrected and the proper report and correct cruise of the land included therein shall be made by the second party accordingly as directed by the first party, and if the second party fails so to do, the first party shall have the right to cause the same to be cruised and the reports accordingly as hereinbefore agreed to be made, and the cost and expense thereof above twelve and one-half cents per acre shall be paid by the second party to the first party on demand, and the payment thereof shall be secured by the bond filed herewith.

## 8.

The second party hereby agrees that he will not sub-contract any part of the work to be done under the terms of this contract.

IN WITNESS WHEREOF, The parties hereto have caused these presents to be executed in duplicate copy, the first party, Clearwater County of the State of Idaho, by its Board of County Commissioners, pursuant to an order of the Board of County Commissioners of said County, this day duly adopted and passed authorizing the execution of this instrument, together with the seal of said County, and the

second party, M. G. Nease, all done on the day and year first above written.

And the Board having examined said contract and being fully advised approved the same, and the said contract was ordered to be executed and the same was, executed, Clearwater County of the State of Idaho, executing the same by Frank Zelenka as Chairman of the Board of County Commissioners, Elmer O. Torgerson, County Commissioner, and Frank Harrison, County Commissioner, and the said contract was executed personally by M. G. Nease and the same was attested by Joseph Kauffman, Clerk of the Board of County Commissioners and the seal of the County Commissioners' Court of Clearwater County, Idaho, attached thereto.

Board adjourned until 9 o'clock A. M. April 16th, 1914, but decided to meet Lewis County Board in joint session at 7:30 P. M. this evening.

FRANK ZELENKA,  
Chairman of the Board.

Attest: Joseph Kauffman,  
Clerk of the Board.

By F. N. Shreve, Deputy.

Orofino, Idaho, June 6, 1914.

Board met in special session pursuant to call of June 1st, 1914. Present: Frank Harrison, Commissioner First Dist.; Frank Zelenka, Commissioner Second District; Elmer O. Torgerson, Commissioner Third Dist.; and Joseph Kauffman, Clerk.

Following proceedings were had, to-wit:

Bond of M. G. Nease as principal and the American Surety Company as surety was at this time approved by the Board in the sum of Ten Thousand Dollars; said bond was given for the faithful performance of a certain contract entered into in writing and bearing date of April 15, 1914, wherein M. G. Nease agrees to make a careful, complete and thorough cruise and estimate of all timber on the patented lands situated in Clearwater County, Idaho, and to make a report on all lands cruised in accordance with the provisions and conditions of said contract.

\* \* \* \* \*

Board adjourned at 12 M.

FRANK ZELENKA,

Attest:

Chairman.

Orofino, Idaho, May 5th, 1916.

*Office of Board of County Commissioners,*

*Clearwater County, Idaho.*

State of Idaho,

County of Clearwater.—ss.

I, Joseph Kauffman, Clerk of the District Court and ex-officio Auditor and Recorder and Clerk of the Board of County Commissioners of said County and State, do hereby certify that the foregoing and hereto attached sheets numbered from 1 to 8 inclusive contain a full, true and correct copy of the Proceedings of the Board of County Commissioners of Clearwater County, Idaho, affecting that certain contract with M. G. Nease, and that said copy was carefully com-



pared with the original records of the Commissioners proceedings in Vol. No. 1, at page 406 and 431, of said county.

IN WITNESS WHEREOF, I have set my hand and affixed my official seal this the 5th day of May, A. D. 1916.

(Seal) JOSEPH KAUFFMAN,  
Ex-officio Clerk of the Board of County Commissioners, in and for Clearwater County, Idaho.

Plaintiff's Exhibit No. 3.

Filed May 8th, 1916.

W. D. McReynolds, Clerk.

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*PLAINTIFF'S EXHIBIT NO. 4*

Orofino, Idaho, Oct. 12, 1914.

Clearwater County, Dr.

To M. G. Nease.

To cruising as per

Attached Invoices. . . . \$13,320.58

10,656.46

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2,664.12

80% allowed as per contract.

Examined and 20% bal. allowed in the sum of \$2664.12—this 8th day of Dec. 1914.

Current Exp.

Frank Zelenka, Chairman.

(Warrants issued No. 7554 to No. 7567 inc.)

(On the reverse side of the above bill appears the following:)

Warrant No. 7103-7197

Drawn.....

Clearwater County, Idaho,

to

M. G. Nease

Current Expense

\$10,656.46

For Cruising

Examined and allowed in the sum of \$10,656.46  
the 15 day of Oct. 1914.

Frank Zelenka,  
Chairman of the Board.

State of Idaho,  
County of Clearwater,—ss.

The undersigned being duly sworn, deposes and says that the within is a fully itemized, true and correct account against Clearwater County, Idaho, and that the same is justly due and that no part thereof has been paid.

M. G. NEASE.

Subscribed and sworn to before me this 15 day of  
Oct., 1914.

Joseph Kauffman, Clerk.

By F. N. Shreve, Deputy.

(Seal.)

Filed Oct. 15, 1914.

Joseph Kauffman, Clerk.

By F. N. Shreve, Deputy.

Portland, Oregon, October 12, 1914.

Clearwater County, State of Idaho,

To M. G. Nease, Dr.

To cruising as follows:

Township

36 North of Range 4 East B. M.,

15,491.78 acres at  $.12\frac{1}{2}$  per a., \$1,936.47

36 North of Range 5 East B. M.,

16,357.14 acres at  $.12\frac{1}{2}$  per a., 2,044.64

37 North of Range 5 East B. M.,

13,192.58 acres at  $.12\frac{1}{2}$  per a., 1,649.07

37 North of Range 6 East B. M.,

14,713.92 acres at  $.12\frac{1}{2}$  per a., 1,839.24

38 North of Range 4 East B. M.,

12,567.87 acres at  $.12\frac{1}{2}$  per a., 1,570.98

40 North of Range 5 East B. M.,

15,364.63 acres at  $.12\frac{1}{2}$  per a., 1,920.58

40 North of Range 6 East B. M.,

18,876.84 acres at  $.12\frac{1}{2}$  per a., 2,359.60

Total, 106,564.76 acres at  $.12\frac{1}{2}$  per a., \$13,320.58

O. K.

P. H. BLAKE, Assessor.

(Attached to foregoing bill)

Portland, Oregon, October 12, 1914.

Clearwater County, State of Idaho,

To M. G. Nease, Dr.

To cruising the following lands in Township 36 North  
of Range 4 East, B. M.

Sections	Acres
1	639.88
2	636.72
3	634.44
4	631.32
5	629.42

498     *Dexter Horton Trust & Savings Bank vs.*

8	640.00
9	640.00
10	640.00
13	80.00
14	80.00
15	640.00
17	640.00
20	640.00
21	640.00
22	640.00
23	640.00
24	640.00
25	640.00
26	640.00
27	640.00
28	640.00
29	640.00
32	640.00
33	640.00
34	640.00
35	640.00

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Total acres . . . 15,491.78 at  $.121\frac{1}{2}$  per acre, \$1,936.47

(Attached to foregoing bill)

Portland, Oregon, October 12, 1914.

Clearwater County, State of Idaho,

To M. G. Nease, Dr.

To cruising the following lands in Township 36 North  
of Range 5 East, B. M.

Sections	Acres
1	80.00

2	366.88
3	651.04
4	648.34
5	645.41
6	643.88
10	640.00
11	240.00
12	280.00
13	640.00
14	640.00
15	640.00
16	40.00
17	640.00
18	629.66
19	628.66
20	640.00
21	640.00
22	640.00
23	640.00
24	560.00
25	640.00
26	640.00
27	640.00
28	640.00
29	640.00
30	626.51
31	76.76
34	640.00
35	640.00

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Total acres . . . 16,357.14 at  $.12\frac{1}{2}$  per acre, \$2,044.64

(Attached to foregoing bill)

Portland, Oregon, October 12, 1914.

Clearwater County, State of Idaho,

To M. G. Nease, Dr.

To cruising the following land in Township 37 North  
of Range 5 East, B. M.

Sections	Acres
13	440.00
14	640.00
15	640.00
17	560.00
18	197.38
19	629.60
20	640.00
21	640.00
22	640.00
23	640.00
24	640.00
25	640.00
26	640.00
27	640.00
28	640.00
29	640.00
30	630.00
31	495.00
32	640.00
33	640.00
34	640.00
35	640.00

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Total acres . . . 13,192.58 at  $.12\frac{1}{2}$  per acre, \$1,649.07

(Attached to foregoing bill)

Portland, Oregon, October 12, 1914.

Clearwater County, State of Idaho,

To M. G. Nease, Dr.

To cruising the following lands in Township 37 North  
of Range 6 East, B. M.

Sections	Acres
1	480.24
2	480.96
3	482.80
4	643.60
5	642.12
6	634.08
7	635.88
8	640.00
9	480.00
10	480.00
11	360.00
12	440.00
13	160.00
14	440.00
15	640.00
16	120.00
17	640.00
18	637.00
19	638.00
20	640.00
21	640.00
22	560.00
23	560.00
24	160.00
25	160.00



502     *Dexter Horton Trust & Savings Bank vs.*

26	40.00
28	360.00
29	640.00
30	639.52
31	639.72

Total acres. . . 14,713.92 at  $.12\frac{1}{2}$  per acre, \$1,839.24

(Attached to foregoing bill)

Portland, Oregon, October 12, 1914.

Clearwater County, State of Idaho,

To M. G. Nease, Dr.

To cruising the following lands in Township 38 North  
of Range 4 East, B. M.

Sections	Acres
2	360.00
3	167.06
6	378.55
7	494.90
8	400.00
9	80.00
10	80.00
11	640.00
15	80.00
17	320.00
18	595.60
19	596.40
21	600.00
20	560.00
22	600.00
23	200.00
24	320.00

25	640.00
26	640.00
27	440.00
28	600.00
29	520.00
30	596.80
31	298.56
32	440.00
33	640.00
34	640.00
35	640.00

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Total acres . . . 12,567.87 at  $.121\frac{1}{2}$  per acre, \$1,570.98

(Attached to foregoing bill)

Portland, Oregon, October 12, 1914.

Clearwater County, State of Idaho,

To M. G. Nease, Dr.

To cruising the following lands in Township 40 North  
of Range 5 East, B. M.

Sections	Acres
1	673.40
5	638.00
7	619.66
8	320.00
9	320.00
10	320.00
11	240.00
12	640.00
13	640.00
14	640.00
15	640.00
17	520.00

504     *Dexter Horton Trust & Savings Bank vs.*

18	566.77
19	649.00
20	240.00
21	360.00
22	240.00
23	160.00
24	160.00
25	640.00
26	640.00
27	640.00
28	360.00
29	640.00
30	647.80
31	650.00
32	640.00
33	640.00
34	640.00
35	640.00

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Total acres . . . 15,364.63 at .121½ per acre, \$1,920.58

( Attached to foregoing bill. )

Portland, Oregon, October 12, 1914.

Clearwater County, State of Idaho,

To M. G. Nease, Dr.

To cruising the following lands in Township 40 North  
of Range 6 East, B. M.

Sections	Acres
1	680.00
2	676.80
3	674.20
4	671.28
5	669.28

6	659.12
7	629.68
8	640.00
9	640.00
10	640.00
12	320.00
13	640.00
14	640.00
15	640.00
17	640.00
18	629.88
20	320.00
21	640.00
22	640.00
23	80.00
24	400.00
25	640.00
26	640.00
27	640.00
28	320.00
29	640.00
30	632.64
31	633.96
32	640.00
33	640.00
34	640.00
35	640.00

---

Total acres . . . 18,876.84 at  $.12\frac{1}{2}$  per acre, \$2,359.60

(Duly certified as true copy by County Auditor.)

Filed, May 8, 1916.

W. D. McReynolds, Clerk.

*PLAINTIFF'S EXHIBIT NO. 5.*

Orofino, Idaho, Oct. 31, 1914.

Clearwater County, Dr.

To M. G. Nease.

To cruising as per

Attached Invoice . . . . \$13,026.04

10,420.83

---

2,605.21

80% allowed as per contract, \$10,420.83.

Examined and 20% bal. allowed in the sum of  
\$2605.21 this 8th day of Dec., 1914.

Current Exp.

Frank Zelenka, Chairman.

(Warrants No. 7568 to 7581 incl.)

(On the reverse side of the above bill appears the  
following:)

Warrant No. 7308-7360

Drawn . . . . .

Clearwater County, Idaho,

to

M. G. Nease

Current Expense

\$10,420.83

For Cruising

Examined and allowed in the sum of \$10,420.83  
the 7 day of Nov., 1914.

Frank Zelenka,

Chairman of the Board.

State of Idaho,

County of Clearwater,—ss.

The undersigned being duly sworn, deposes and



says that the within is a fully itemized, true and correct account against Clearwater County, Idaho, and that the same is justly due and that no part thereof has been paid.

M. G. NEASE.

Subscribed and sworn to before me this 7 day of Nov., 1914.

Joseph Kauffman, Clerk.

By O. H. Holmberg, Deputy.

(Seal)

Filed Nov. 7, 1914.

Joseph Kauffman, Clerk.

By F. N. Shreve, Deputy.

(Attached to the foregoing bill)

Portland, Oregon, October 31st, 1914.

Clearwater County, State of Idaho,

To M. G. Nease, Dr.

To cruising the following lands in Townships as follows:

34 North of Range 4 East, B. M.,	
3,672.20 acres at $.12\frac{1}{2}$ per a.,	\$ 459.02
34 North of Range 5 East, B. M.,	
1,439.51 acres at $.12\frac{1}{2}$ per a.,	179.94
35 North of Range 4 East, B. M.,	
15,211.69 acres at $.12\frac{1}{2}$ per a.,	1,901.46
36 North of Range 3 East, B. M.,	
10,850.90 acres at $.12\frac{1}{2}$ per a.,	1,356.36
36 North of Range 4 East, B. M.,	
4,288.37 acres at $.12\frac{1}{2}$ per a.,	536.05
37 North of Range 2 East, B. M.,	
6,200.84 acres at $.12\frac{1}{2}$ per a.,	775.10

508     *Dexter Horton Trust & Savings Bank vs.*

37 North of Range 3 East, B. M.,	
8,800.00 acres at $.12\frac{1}{2}$ per a.,	1,100.00
37 North of Range 4 East, B. M.,	
9,892.28 acres at $.12\frac{1}{2}$ per a.,	1,236.53
37 North of Range 7 East, B. M.,	
560.00 acres at $.12\frac{1}{2}$ per a.,	70.00
37 North of Range 8 East, B. M.,	
4,880.65 acres at $.12\frac{1}{2}$ per a.,	610.08
38 North of Range 1 West, B. M.,	
3,840.00 acres at $.12\frac{1}{2}$ per a.,	480.00
38 North of Range 1 East, B. M.,	
8,889.02 acres at $.12\frac{1}{2}$ per a.,	1,111.13
38 North of Range 6 East, B. M.,	
14,455.44 acres at $.12\frac{1}{2}$ per a.,	1,806.93
38 North of Range 7 East, B. M.,	
11,227.50 acres at $.12\frac{1}{2}$ per a.,	1,403.44
Total, 104,208.40 acres at $.12\frac{1}{2}$ per a.,	\$13,026.04

O. K.

P. H. BLAKE, Assessor.

(Attached to foregoing bill)

Portland, Oregon, October 31st, 1914.

Clearwater County, State of Idaho,

To M. G. Nease, Dr.

To cruising the following lands in Township 34  
North of Range 4 East, B. M.

Sections	Acres
1	160.12
3	661.72
4	666.36
5	664.00

9	640.00
10	560.00
12	320.00

---

Total acres . . . 3,672.20 at  $.12\frac{1}{2}$  per acre, \$459.02

(Attached to foregoing bill)

Portland, Oregon, October 31st, 1914.

Clearwater County, State of Idaho,

To M. G. Nease, Dr.

To cruising the following lands in Township 34

North of Range 5 East, B. M.

Sections	Acres
1	478.62
2	159.55
3	161.63
4	319.71
12	320.00

---

Total acres . . . 1,439.51 at  $.12\frac{1}{2}$  per acre, \$179.94

(Attached to foregoing bill)

Portland, Oregon, October 31st, 1914.

Clearwater County, State of Idaho,

To M. G. Nease, Dr.

To cruising the following lands in Township 35

North of Range 4 East, B. M.

Sections	Acres
1	79.44
2	638.46
4	320.92
5	322.40
6	314.35

510 *Dexter Horton Trust & Savings Bank vs.*

7	626.72
8	640.00
10	80.00
11	240.00
12	160.00
13	640.00
14	640.00
15	640.00
17	320.00
18	626.99
19	626.51
20	440.00
21	80.00
22	640.00
23	640.00
24	640.00
25	640.00
26	640.00
27	640.00
28	200.00
29	640.00
30	627.74
31	628.16
32	640.00
33	320.00
34	160.00
35	480.00
36	240.00

---

Total acres . . . 15,211.69 at  $.12\frac{1}{2}$  per acre, \$1,901.46

(Attached to foregoing bill)

Portland, Oregon, October 31st, 1914.

Clearwater County, State of Idaho,

To M. G. Nease, Dr.

To cruising the following lands in Township 36

North of Range 3 East, B. M.

Sections	Acres
1	625.14
2	625.76
8	640.00
9	640.00
10	640.00
11	640.00
12	640.00
13	640.00
14	640.00
15	640.00
21	640.00
22	640.00
23	640.00
24	640.00
25	640.00
26	640.00
27	640.00

---

Total acres . . . 10,850.90 at  $.12\frac{1}{2}$  per acre, \$1,356.36

(Attached to foregoing bill)

Portland, Oregon, October 31st, 1914.

Clearwater County, State of Idaho,

To M. G. Nease, Dr.

To cruising the following lands in Township 36

North of Range 4 East, B. M.



512 *Dexter Horton Trust & Savings Bank vs.*

Sections	Acres
6	688.37
7	720.00
18	720.00
19	720.00
30	720.00
31	720.00

Total acres . . . 4,288.37 at  $.12\frac{1}{2}$  per acre, \$536.05

(Attached to foregoing bill)

Portland, Oregon, October 31st, 1914.

Clearwater County, State of Idaho,

To M. G. Nease, Dr.

To cruising the following lands in Township 37  
North of Range 2 East, B. M.

Sections	Acres
1	599.92
2	600.08
3	600.48
4	600.84
5	599.52
8	640.00
9	640.00
10	640.00
11	640.00
12	640.00

Total acres . . . 6,200.84 at  $.12\frac{1}{2}$  per acre, \$775.10

(Attached to foregoing bill)

Portland, Oregon, October 31st, 1914.

Clearwater County, State of Idaho,

To M. G. Nease, Dr.

To cruising the following lands in Township 37

North of Range 3 East, B. M.

Sections	Acres
1	160.00
7	40.00
8	120.00
9	80.00
10	160.00
11	400.00
12	640.00
13	640.00
14	640.00
15	560.00
22	200.00
23	480.00
24	440.00
25	560.00
26	480.00
27	640.00
28	640.00
29	640.00
34	640.00
35	640.00

---

Total acres . . . 8,800.00 at  $.12\frac{1}{2}$  per acre, \$1,100.00

(Attached to foregoing bill)

Portland, Oregon, October 31st, 1914.

Clearwater County, State of Idaho,

To M. G. Nease, Dr.

To cruising the following lands in Township 37

North of Range 4 East, B. M.

Sections	Acres
1	640.24
2	640.16
3	639.52
4	640.08
5	160.46
6	29.77
7	240.00
8	80.00
9	200.00
10	80.00
11	160.00
12	240.00
14	160.00
15	320.00
17	40.00
18	200.00
19	240.00
20	80.00
21	320.00
22	640.00
23	640.00
24	400.00
25	640.00
26	640.00
27	640.00

30	150.67
31	71.38
34	320.00
35	640.00

---

Total acres . . . . 9,892.28 at  $.12\frac{1}{2}$  per acre, \$1,236.53

(Attached to foregoing bill)

Portland, Oregon, October 31st, 1914.

Clearwater County, State of Idaho,

To M. G. Nease, Dr.

To cruising the following lands in Township 37  
North of Range 7 East, B. M.

Sections	Acres
13	160.00
25	400.00

---

Total acres . . . . 560.00 at  $.12\frac{1}{2}$  per acre, \$70.00

(Attached to foregoing bill)

Portland, Oregon, October 31st, 1914.

Clearwater County, State of Idaho,

To M. G. Nease, Dr.

To cruising the following lands in Township 37  
North of Range 8 East, B. M.

Sections	Acres
1	480.57
4	440.00
5	360.00
8	160.00
9	320.00
10	40.00
11	120.00
12	360.00

516     *Dexter Horton Trust & Savings Bank vs.*

15	40.00
18	638.52
19	600.36
26	200.00
27	40.00
30	361.20
33	160.00
34	480.00
35	80.00

---

Total acres . . . 4,880.65 at  $.12\frac{1}{2}$  per acre, \$610.08

(Attached to foregoing bill)

Portland, Oregon, October 31st, 1914.

Clearwater County, State of Idaho,

To M. G. Nease, Dr.

To cruising the following lands in Township 38  
North of Range 1 West, B. M.

Sections	Acres
22	640.00
23	640.00
24	640.00
25	640.00
26	640.00
27	640.00

---

Total acres . . . 3,840.00 at  $.12\frac{1}{2}$  per acre, \$480.00

(Attached to foregoing bill)

Portland, Oregon, October 31st, 1914.

Clearwater County, State of Idaho,

To M. G. Nease, Dr.

To cruising the following lands in Township 38  
North of Range 1 East, B. M.



Sections	Acres
3	555.99
10	490.96
11	640.00
12	320.00
13	640.00
14	640.00
15	490.96
19	199.93
22	480.00
23	640.00
24	596.20
25	602.15
26	639.65
27	440.00
30	400.15
31	240.48
34	400.00
35	472.55

---

Total acres . . . 8,889.02 at  $.12\frac{1}{2}$  per acre, \$1,111.13

(Attached to foregoing bill)

Portland, Oregon, October 31st, 1914.

Clearwater County, State of Idaho,

To M. G. Nease, Dr.

To cruising the following lands in Township 38

North of Range 6 East, B. M.

Sections	Acres
1	667.20
2	667.20
3	670.72

518 *Dexter Horton Trust & Savings Bank vs.*

4	674.32
5	677.00
7	632.40
8	640.00
9	640.00
10	640.00
11	640.00
12	640.00
13	40.00
15	480.00
17	320.00
18	633.60
19	635.20
20	320.00
21	640.00
22	160.00
23	400.00
24	320.00
28	80.00
29	640.00
30	477.80
31	160.00
32	320.00
33	360.00
34	640.00
35	640.00

---

Total acres . . . 14,455.44 at  $.12\frac{1}{2}$  per acre, \$1,806.93

(Attached to foregoing bill)

Portland, Oregon, October 31st, 1914.

Clearwater County, State of Idaho,

To M. G. Nease, Dr.

To cruising the following lands in Township 38  
North of Range 7 East, B. M.

Sections	Acres
4	40.00
5	375.48
6	667.51
7	117.43
8	160.00
9	400.00
14	40.00
15	240.00
16	160.00
18	158.14
19	476.58
20	440.00
21	440.00
22	440.00
23	520.00
24	280.00
25	640.00
26	640.00
27	640.00
28	640.00
29	640.00
30	320.00
31	632.36
32	640.00

520 *Dexter Horton Trust & Savings Bank vs.*

33	640.00
34	480.00
35	360.00

Total acres . . . 11,227.50 at .12½ per acre, \$1,403.44

(Certified as true copy by County Auditor.)

Endorsed: Filed May 8, 1916.

W. D. McReynolds, Clerk.

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*PLAINTIFF'S EXHIBIT NO. 6.*

Orofino, Idaho, June 15, 1914.

Clearwater County, Dr.

To M. G. Nease.

To cruising as per

Attached invoices . . . \$10,338.16

8,270.53    20%

---

2,067.63

80% allowed as per contract.

Examined and 20% bal. allowed in the sum of  
\$2067.63 this 8th day Dec., 1914.

Current Exp.

Frank Zelenka, Chairman.

(Warrants issued No. 7543 to 7553 inc.) 8,270.53

(On the reverse side of the above bill appears the  
following:)

Warrant No. 7103-7197

Drawn . . . . .

Clearwater County, Idaho,

to

M. G. Nease

Current Expense

\$8,270.53

For . . . . .

Examined and allowed in the sum of \$8,270.53 the  
15 day of Oct., 1914.

.....  
Chairman of the Board.

State of Idaho,  
County of Clearwater,—ss.

The undersigned being duly sworn, deposes and  
says that the within is a fully itemized, true and  
correct account against Clearwater County, Idaho,  
and that the same is justly due and that no part  
thereof has been paid.

M. G. NEASE.

Subscribed and sworn to before me this 15 day  
of Oct., 1914.

Joseph Kauffman, Clerk.

By F. N. Shreve, Deputy.

(Seal)

Filed Oct. 15, 1914.

Joseph Kauffman, Clerk.

By F. N. Shreve, Deputy.

(Attached to foregoing bill)

Portland, Oregon, June 15th, 1914.

Clearwater County, State of Idaho,

To M. G. Nease, Dr.

To cruising as follows:

Township

37 North of Range 5 East, B. M.,

7,057.82 acres at .121½ per a., \$ 882.23

38 North of Range 3 East, B. M.,

9,683.10 acres at .121½ per a., 1,210.39

38 North of Range 5 East, B. M.,

14,471.76 acres at .121½ per a., 1,808.97

38 North of Range 6 East, B. M.,		
	668.97 acres at $.12\frac{1}{2}$ per a.,	83.62
39 North of Range 3 East, B. M.,		
	20,594.98 acres at $.12\frac{1}{2}$ per a.,	2,574.37
39 North of Range 5 East, B. M.,		
	7,156.91 acres at $.12\frac{1}{2}$ per a.,	894.61
39 North of Range 6 East, B. M.,		-
	23,071.77 acres at $.12\frac{1}{2}$ per a.,	2,883.97
Total,	82,705.31 acres at $.12\frac{1}{2}$ per a.,	\$10,338.16

O. K.

P. H. BLAKE, Assessor.

(Attached to foregoing bill)

Portland, Oregon, June 15th, 1914.

Clearwater County, State of Idaho,

To M. G. Nease, Dr.

To cruising the following lands in Township 37  
North of Range 5 East, B. M.

Sections	Acres
1	639.40
2	639.56
3	640.48
4	640.12
5	639.40
6	625.21
7	313.65
8	480.00
9	640.00
10	640.00
11	640.00
12	520.00

---

Total acres. . . . 7,057.82 at  $.12\frac{1}{2}$  per acre, \$882.23



(Attached to foregoing bill)

Portland, Oregon, June 15th, 1914.

Clearwater County, State of Idaho,

To M. G. Nease, Dr.

To cruising the following lands in Township 38

North of Range 3 East, B. M.

Sections	Acres
1	663.16
2	659.80
3	656.64
4	653.44
5	650.04
6	641.26
7	637.88
8	640.00
9	640.00
10	640.00
11	640.00
15	640.00
16	640.00
17	640.00
18	640.88

---

Total acres . . . 9,638.10 at .12½ per acre, \$1,210.39

(Attached to foregoing bill)

Portland, Oregon, June 15th, 1914.

Clearwater County, State of Idaho,

To M. G. Nease, Dr.

To cruising the following lands in Township 38

North of Range 5 East, B. M.

Sections	Acres
1	678.48
2	677.68
3	676.92
4	675.40
5	672.08
6	247.27
7	77.23
8	480.00
9	640.00
10	640.00
11	640.00
12	640.00
13	640.00
14	640.00
15	480.00
17	160.00
18	391.55
19	80.00
20	400.00
21	520.00
22	560.00
23	640.00
24	400.00
25	480.00
26	280.00
27	160.00
28	240.00
30	189.95
31	345.20
32	480.00

33 560.00

34 80.00

---

Total acres . . . 14,471.76 at .121½ per acre, \$1,808.97

(Attached to foregoing bill)

Portland, Oregon, June 15th, 1914.

Clearwater County, State of Idaho,

To M. G. Nease, Dr.

To cruising the following lands in Township 38

North of Range 6 East, B. M.

Section	Acres
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6	668.97 at .121½ per acre, \$83.62
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(Attached to foregoing bill)

Portland, Oregon, June 15th, 1914.

Clearwater County, State of Idaho,

To M. G. Nease, Dr.

To cruising the following lands in Township 39

North of Range 3 East, B. M.

Sections	Acres
----------	-------

1	640.76
---	--------

2	640.92
---	--------

3	640.72
---	--------

4	640.84
---	--------

5	640.88
---	--------

6	626.55
---	--------

7	628.44
---	--------

8	640.00
---	--------

9	640.00
---	--------

10	640.00
----	--------

11	640.00
----	--------

12	640.00
13	640.00
14	640.00
15	640.00
17	480.00
18	188.76
19	157.42
20	640.00
21	640.00
22	640.00
23	640.00
24	610.08
25	637.25
26	640.00
27	640.00
28	640.00
29	640.00
30	630.52
31	631.84
32	640.00
33	640.00
34	640.00
35	640.00

---

Total acres . . . 20,594.98 at  $.12\frac{1}{2}$  per acre, \$2,574.37

(Attached to foregoing bill)

Portland, Oregon, June 15th, 1914.

Clearwater County, State of Idaho,

To M. G. Nease, Dr.

To cruising the following lands in Township 39  
North of Range 5 East, B. M.

Sections	Acres
19	318.05
20	160.00
23	360.00
24	640.00
25	640.00
26	480.00
27	640.00
28	240.00
29	560.00
30	478.86
31	120.00
32	640.00
33	480.00
34	600.00
35	640.00
36	160.00

---

Total acres . . . 7,156.91 at  $.12\frac{1}{2}$  per acre, \$894.61

(Attached to foregoing bill)

Portland, Oregon, June 15th, 1914.

Clearwater County, State of Idaho,

To M. G. Nease, Dr.

To cruising the following lands in Township 39  
North of Range 6 East, B. M.

Sections	Acres
1	643.20
2	648.16
3	650.80
4	651.44
5	649.20
6	638.49

7	637.20
8	640.00
9	640.00
10	640.00
11	640.00
12	640.00
13	640.00
14	640.00
15	640.00
16	640.00
17	640.00
18	637.64
19	637.32
20	640.00
21	640.00
22	640.00
23	640.00
24	640.00
25	640.00
26	640.00
27	640.00
28	640.00
29	640.00
30	638.72
31	639.60
32	640.00
33	640.00
34	640.00
35	640.00
36	640.00

---

Total acres . . . 23,071.77 at  $.12\frac{1}{2}$  per acre, \$2,883.97



(Duly certified as a true copy by Joseph Kauffman,  
County Auditor of Clearwater County, Idaho.)

Plaintiff's Exhibit No. 6,

Filed May 8, 1916,

W. D. McReynolds, Clerk.

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*PLAINTIFF'S EXHIBIT NO. 7.*

Orofino, Idaho, December 8, 1914.

Clearwater County, Dr.

To M. G. Nease.

To cruising Timber as per  
attached invoice.....\$26,314.90

(Upon the reverse side of the foregoing bill appears  
the following:)

File No.....

Warrant No. 7582.

Drawn.....

Clearwater County, Idaho, Dr.

to

M. G. Nease.

Current Exp.

\$26,314.90

For Cruising Timber.

Examined and allowed in the sum of \$26,314.90  
the 8th day of Dec., 1914.

Frank Zelenka,

Chairman of the Board.

State of Idaho,

County of Clearwater,—ss.

The undersigned, being duly sworn deposes and  
says, that the within is a fully itemized, true and

correct account against Clearwater County, Idaho, and that the same is justly due and that no part thereof has been paid.

M. G. NEASE.

Subscribed and sworn to before me this 8th day of Dec., 1914.

(Seal.)

Joseph Kauffman, Clerk.

By O. H. Holmberg, Deputy.

Filed Dec. 8, 1914.

Joseph Kauffman, Clerk.

By F. N. Shreve, Deputy.

(Attached to foregoing bill.)

Portland, Oregon, November 30th, 1914.

Clearwater County, State of Idaho,

To M. G. Nease, Dr.

To cruising as follows:

Township

35 North of Range 5 East, B. M.,

10,645.98 acres at  $.121\frac{1}{2}$  per a., \$1,330.75

38 North of Range 2 East, B. M.,

11,691.72 acres at  $.121\frac{1}{2}$  per a., 1,461.47

38 North of Range 3 East, B. M.,

10,331.40 acres at  $.121\frac{1}{2}$  per a., 1,291.43

39 North of Range 1 East, B. M.,

6,687.86 acres at  $.121\frac{1}{2}$  per a., 835.98

39 North of Range 2 East, B. M.,

19,178.82 acres at  $.121\frac{1}{2}$  per a., 2,397.35

39 North of Range 4 East, B. M.,

10,892.70 acres at  $.121\frac{1}{2}$  per a., 1,361.59

39 North of Range 5 East, B. M.,

9,671.09 acres at  $.121\frac{1}{2}$  per a., 1,208.89

39 North of Range 7 East, B. M.,	
1,323.96 acres at $.121\frac{1}{2}$ per a.,	165.50
40 North of Range 1 East, B. M.,	
9,690.96 acres at $.121\frac{1}{2}$ per a.,	1,211.37
40 North of Range 2 East, B. M.,	
21,293.11 acres at $.121\frac{1}{2}$ per a.,	2,661.64
40 North of Range 3 East, B. M.,	
21,555.79 acres at $.121\frac{1}{2}$ per a.,	6,694.47
40 North of Range 4 East, B. M.,	
21,928.23 acres at $.121\frac{1}{2}$ per a.,	2,741.03
41 North of Range 1 East, B. M.,	
9,672.09 acres at $.121\frac{1}{2}$ per a.,	1,209.01
41 North of Range 2 East, B. M.,	
21,782.73 acres at $.121\frac{1}{2}$ per a.,	2,722.84
41 North of Range 3 East, B. M.,	
20,976.61 acres at $.121\frac{1}{2}$ per a.,	2,622.08
41 North of Range 5 East, B. M.,	
3,196.00 acres at $.121\frac{1}{2}$ per a.,	399.50
Total, 210,519.05 acres at $.121\frac{1}{2}$ per a.,	\$26,314.90

O. K.

P. H. BLAKE, Assessor.

(Attached to foregoing bill.)

Portland, Oregon, October 31st, 1914.

Clearwater County, State of Idaho,

To M. G. Nease, Dr.

To cruising the following lands in Township 35 North  
of Range 5 East, B. M.

Sections	Acres
1	638.08
2	637.86
7	40.00

532     *Dexter Horton Trust & Savings Bank vs.*

8	200.00
11	640.00
12	640.00
13	640.00
14	640.00
15	80.00
18	628.99
19	111.66
22	640.00
23	640.00
24	640.00
25	640.00
26	640.00
27	640.00
30	629.39
34	640.00
35	640.00

---

Total acres . . . 10,645.98 at .121½ per acre, \$1,330.75

( Attached to foregoing bill. )

Portland, Oregon, November 20th, 1914.

Clearwater County, State of Idaho,

To M. G. Nease, Dr.

To cruising the following lands in Township 38 North  
of Range 2 East, B. M.

Sections	Acres
5	160.00
6	775.72
7	781.60
8	640.00
17	640.00

18	788.40
19	731.30
20	599.40
21	629.10
22	360.00
23	480.00
24	440.00
25	381.60
26	279.80
27	607.60
28	618.20
29	640.00
30	790.40
31	788.60
32	120.00
33	280.00
34	160.00

---

Total acres . . . 11,691.72 at  $.12\frac{1}{2}$  per acre, \$1,461.47

(Attached to foregoing bill.)

Portland, Oregon, October 31, 1914.

Clearwater County, State of Idaho,

To M. G. Nease, Dr.

To cruising the following lands in Township 38 North  
of Range 3 East, B. M.

Sections	Acres
12	491.07
13	417.90
14	588.42
19	442.59
20	440.00

534 *Dexter Horton Trust & Savings Bank vs*

21	440.00
22	430.96
23	634.20
24	640.00
25	200.00
26	640.00
27	586.73
28	441.54
29	441.64
30	605.95
31	650.40
32	640.00
33	320.00
34	640.00
35	640.00

---

Total acres . . . 10,331.40 at  $.12\frac{1}{2}$  per acre, \$1,291.43

(Attached to foregoing bill.)

Portland, Oregon, November 20th, 1914.

Clearwater County, State of Idaho,

To M. G. Nease, Dr.

To cruising the following lands in Township 39 North  
of Range 1 East, B. M.

Sections	Acres
1	638.72
2	640.72
3	495.54
11	640.00
12	640.00
13	640.00
14	640.00



15	490.96
22	490.96
23	80.00
24	160.00
34	490.96
35	640.00

---

Total acres. . . . 6,687.86 at  $.12\frac{1}{2}$  per acre, \$835.98

(Attached to foregoing bill.)

Portland, Oregon, November 20th, 1914.

Clearwater County, State of Idaho,

To M. G. Nease, Dr.

To cruising the following lands in Township 39 North  
of Range 2 East, B. M.

Sections	Acres
1	619.00
2	614.80
3	622.26
4	480.43
5	643.16
6	644.13
7	636.40
8	640.00
9	320.00
10	650.68
11	640.00
12	640.00
13	640.00
14	640.00
15	638.29
16	120.00

17	640.00
18	637.16
19	200.00
20	640.00
21	651.89
22	320.00
24	520.00
25	642.92
26	648.52
27	653.40
28	637.08
29	240.00
30	199.42
31	639.28
32	640.00
33	640.00
34	640.00
35	640.00
36	160.00

---

Total acres . . . 19,178.82 at  $.12\frac{1}{2}$  per acre, \$2,397.35

(Attached to foregoing bill.)

Portland, Oregon, November 20th, 1914.

Clearwater County, State of Idaho,

To M. G. Nease, Dr.

To cruising the following lands in Township 39 North  
of Range 4 East, B. M.

Sections	Acres
1	624.00
2	624.36
3	275.65

4	106.20
5	272.65
6	312.49
7	634.36
8	137.70
9	160.00
10	440.00
11	640.00
12	400.00
13	80.00
14	520.00
15	160.00
17	153.30
18	562.13
19	80.00
20	520.00
21	520.00
22	640.00
23	320.00
24	200.00
25	120.00
27	360.00
28	320.00
29	640.00
30	253.36
31	56.50
32	320.00
33	320.00
34	120.00

---

Total acres . . . 10,892.70 at .12½ per acre, \$1,361.59

(Attached to foregoing bill.)

Portland, Oregon, November 20th, 1914.

Clearwater County, State of Idaho,

To M. G. Nease, Dr.

To cruising the following lands in Township 39 North  
of Range 5 East, B. M.:

Sections	Acres
1	639.44
2	637.72
3	638.08
4	640.28
5	641.52
6	234.05
7	160.00
8	640.00
9	640.00
10	640.00
11	640.00
12	640.00
13	640.00
14	640.00
15	640.00
17	520.00
20	120.00
21	160.00
28	160.00

---

Total acres . . . 9,671.09 at  $.12\frac{1}{2}$  per acre, \$1,208.89

(Attached to foregoing bill.)

Portland, Oregon, November 20th, 1914.

Clearwater County, State of Idaho,

To M. G. Nease, Dr.

To cruising the following lands in Township 39 North  
of Range 7 East, B. M.:

Sections	Acres
29	40.00
30	642.52
31	641.44

---

Total acres . . . 1,323.96 at .121½ per acre, \$165.50

(Attached to foregoing bill.)

Portland, Oregon, November 20th, 1914.

Clearwater County, State of Idaho,

To M. G. Nease, Dr.

To cruising the following lands in Township 40 North  
of Range 1 East, B. M.:

Sections	Acres
1	709.56
2	708.28
3	538.32
10	490.96
11	640.00
12	640.00
13	640.00
14	160.00
15	490.96
22	490.96
23	640.00
24	640.00

25	640.00
26	640.00
27	490.96
34	490.96
35	640.00

---

Total acres . . . 9,690.96 at .12½ per acre, . . 1,211.37

(Attached to foregoing bill.)

Portland, Oregon, November 20th, 1914.

Clearwater County, State of Idaho,

To M. G. Nease, Dr.

To cruising the following lands in Township 40 North  
of Range 2 East, B. M.:

Sections	Acres
1	720.08
2	715.72
3	711.52
4	712.20
5	710.20
6	713.31
7	647.96
8	640.00
9	640.00
10	640.00
11	640.00
12	640.00
13	640.00
14	640.00
15	640.00
16	640.00
17	640.00



18	649.16
19	650.60
20	640.00
21	640.00
22	640.00
23	640.00
24	640.00
25	640.00
28	640.00
29	640.00
30	651.48
31	650.88
32	640.00
33	640.00
35	320.00
36	640.00

---

Total acres . . . 21,293.11 at  $.12\frac{1}{2}$  per acre, \$2,661.64

(Attached to foregoing bill.)

Portland, Oregon, November 20th, 1914.

Clearwater County, State of Idaho,

To M. G. Nease, Dr.

To cruising the following lands in Township 40 North  
of Range 3 East, B. M.:

Sections	Acres
1	720.88
2	720.48
3	720.52
4	724.16
5	726.32
6	336.51

7	400.00
8	640.00
9	640.00
10	640.00
11	640.00
12	640.00
13	640.00
14	640.00
15	640.00
17	640.00
18	620.64
19	621.40
20	640.00
21	640.00
22	640.00
23	640.00
24	640.00
25	640.00
26	640.00
27	640.00
28	640.00
29	640.00
30	621.48
31	623.40
32	640.00
33	640.00
34	640.00
35	640.00

---

Total acres . . . 21,555.79 at  $.12\frac{1}{2}$  per acre, \$2,694.47

(Attached to foregoing bill.)

Portland, Oregon, November 20th, 1914.

Clearwater County, State of Idaho,

To M. G. Nease, Dr.

To cruising the following lands in Township 40 North  
of Range 4 East, B. M.:

Sections	Acres
1	721.16
2	721.56
3	722.16
4	722.76
5	722.56
6	720.97
7	639.12
8	640.00
9	640.00
10	640.00
11	600.60
12	585.70
13	640.00
14	601.10
15	586.45
17	640.00
18	638.08
19	636.80
20	640.00
21	619.85
22	621.20
23	640.00
24	640.00
25	640.00

26	640.00
27	640.00
28	608.90
29	640.00
30	637.24
31	638.32
32	640.00
33	583.70
34	640.00
35	640.00

---

Total acres . . . 21,928.23 at  $.12\frac{1}{2}$  per acre, \$2,741.03

(Attached to foregoing bill.)

Portland, Oregon, November 20th, 1914.

Clearwater County, State of Idaho,

To M. G. Nease, Dr.

To cruising the following lands in Township 41 North  
of Range 1 East, B. M.:

Sections	Acres
1	641.20
2	642.72
3	493.37
10	490.96
11	640.00
12	640.00
13	640.00
15	490.96
22	170.96
23	640.00
24	640.00
25	640.00

26	640.00
27	490.96
34	490.96
35	640.00
36	640.00

---

Total acres. . . . 9,672.09 at  $.12\frac{1}{2}$  per acre, \$1,209.01

(Attached to foregoing bill.)

Portland, Oregon, November 20th, 1914.

Clearwater County, State of Idaho,

To M. G. Nease, Dr.

To cruising the following lands in Township 41 North  
of Range 2 East, B. M.:

Sections	Acres
1	642.88
2	648.64
3	642.96
4	642.00
5	650.80
6	642.73
7	637.52
8	640.00
9	640.00
10	640.00
11	640.00
12	640.00
13	640.00
14	640.00
15	640.00
17	640.00
18	638.56

19	638.80
20	640.00
21	640.00
22	640.00
23	640.00
24	640.00
25	640.00
26	640.00
27	640.00
28	640.00
29	640.00
30	638.64
31	639.20
32	640.00
33	640.00
34	640.00
35	640.00

---

Total acres . . . 21,782.73 at .121½ per acre, \$2,722.84

(Attached to foregoing bill.)

Portland, Oregon, November 20th, 1914.

Clearwater County, State of Idaho,

To M. G. Nease, Dr.

To cruising the following lands in Township 41 North  
of Range 3 East, B. M.:

Sections	Acres
1	599.00
2	429.27
3	596.88
4	457.47
5	595.52



6	564.27
7	602.12
8	640.00
9	640.00
10	640.00
11	640.00
12	640.00
13	640.00
14	640.00
15	640.00
17	640.00
18	600.64
19	602.28
20	640.00
21	640.00
22	640.00
23	640.00
24	640.00
25	640.00
26	640.00
27	640.00
28	640.00
29	640.00
30	603.08
31	606.08
32	640.00
33	640.00
34	640.00
35	640.00

---

Total acres . . . 20,976.61 at  $.12\frac{1}{2}$  per acre, \$2,622.08

(Attached to foregoing bill.)

Portland, Oregon, November 20th, 1914.

Clearwater County, State of Idaho,

To M. G. Nease, Dr.

To cruising the following lands in Township 41 North  
of Range 5 East, B. M.:

Sections	Acres
7	320.00
8	440.00
9	320.00
10	240.00
15	160.00
16	520.00
17	640.00
18	556.00

---

Total acres . . . 3,196.00 at .12½ per acre, \$399.50

(Certified as true copies by Joseph Kauffman,  
County Auditor of Clearwater County, Idaho.)

Plaintiff's Exhibit No. 7.

Filed May 8th, 1916.

W. D. McReynolds, Clerk.

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*PLAINTIFF'S EXHIBIT NO. 8.*

Orofino, Idaho, Oct. 15, 1914.

Board met in regular session pursuant to adjournment of Oct. 14, 1914. All members of the Board present, and Joseph Kauffman, Clerk.

Claims allowed.

M. G. Nease, cruising Timber as per contract,  
\$18,926.99.

Board adjourned to meet Oct. 16, 1914.

Frank Zelenka,

Attest:

Chairman of Board.

Joseph Kauffman, Clerk.

F. N. Shreve, Deputy.

(Duly certified as true copy of record of Board of County Commissioners of Clearwater County, by Clerk.)

Orofino, Idaho, Dec. 8, 1914.

Board met in regular session pursuant to adjournment of Nov. 9, 1914.

Present: Frank Harrison, Commissioner First District; Frank Zelenka, Chairman and Commissioner Second Dist.; Elmer O. Torgerson, Commissioner Third District, and Joseph Kauffman, Clerk, by F. N. Shreve, Deputy.

Claims allowed Current Expense fund:

\* \* \* \* \*

M. G. Nease, cruising timber... . \$26,314.90

\* \* \* \* \*

Board adjourned to meet January 8, 1915.

Attest:

Frank Zelenka, Chairman.

Joseph Kauffman, Clerk.

F. N. Shreve, Deputy.

(Duly certified as true copy of record of Board of County Commissioners of Clearwater County, by Clerk.)

Orofino, Idaho, Nov. 7, 1914.

Board met in regular session pursuant to adjournment of Oct. 22, 1914.

Present: Frank Harrison, Commissioner First

Dist.; Frank Zelenka, Chairman and Commissioner Second Dist.; Elmer O. Torgerson, Commissioner Third Dist., and Joseph Kauffman, Clerk, by F. N. Shreve, Deputy.

Following proceedings were had, to-wit:

Claims allowed Current Expense fund:

\* \* \* \* \*

M. G. Nease, cruising timber.....\$10,420.83

\* \* \* \* \*

Board adjourned to meet Nov. 9, 1914.

Attest: Frank Zelenka, Chairman.

Joseph Kauffman, Clerk.

F. N. Shreve, Deputy.

(Duly certified as true copy of record of Board of County Commissioners of Clearwater County, by Clerk.)

Orofino, Idaho, Dec. 8, 1914.

Board met in regular session pursuant to adjournment of Nov. 9, 1914.

Present: Frank Harrison, Commissioner First Dist.; Frank Zelenka, Chairman and Commissioner Second Dist.; Elmer O. Torgerson, Commissioner Third District, and Joseph Kauffman, Clerk, by F. N. Shreve, Deputy.

Claims allowed Current Expense fund:

\* \* \* \* \*

M. G. Nease, Cruising Timber, Bal. on claim allowed under Warrant No. 7103-

7197, Oct. 15, 1914, 20% .....\$2,664.12

M. G. Nease, Cruising Timber, Bal. 20% on claim allowed under Warrant No. 7103-

7197, Oct. 15, 1914.....\$2,067.63

M. G. Nease, Cruising Timber, Bal. 20% on  
claim allowed under Warrant No. 7308-  
7360, Nov. 7, 1914.....\$2,605.21

\* \* \* \* \*

Board adjourned to meet January 8, 1915.

Attest: Frank Zelenka, Chairman.

Joseph Kauffman, Clerk.

(Duly certified as true copy of record of Board  
of County Commissioners of Clearwater County, by  
Clerk.)

Endorsed: Filed May 8, 1916.

W. D. McReynolds, Clerk.

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*PLAINTIFF'S EXHIBIT NO. 10.*

April 4th, 1914.

Mr. Ed. Randolph,  
Boville, Idaho.

Dear Sir:

I wish to call your attention to the fact that you  
are not carrying out instructions with reference to  
marking your topography with a circle the exact  
location at which the elevations were taken. Please  
be more careful about this in the future.

Yours truly,

.....

Your letter of instructions must be read and your  
sample plat referred to.

N-F.

Endorsed: Filed May 9, 1916.

W. D. McReynolds, Clerk.

*PLAINTIFF'S EXHIBIT NO. 11.*

Pierce, Idaho, April 30, '16.

Mr. Tom Laughlin,

Portland, Ore.

Hello Tom.

Say what the H—— is the matter you no answer my letter. I surely expected to hear from you before this time. I have just received a letter from Harry Leighton and he makes no mention of having seen you yet in regard to signing those papers I spoke to you about.

Now Tom if you do not care to sign those papers I would much rather have you say so, than to wait until the last minute and find that you wont sign, you remember that you told me you would and gladly too, and there is nothing in those papers but truth and justice, and from all I can learn I will need them.

I understand that Nease has made declaration that he will put me in the discard for opposing him. Well he cant do it anyway as he will find out.

It seems to me that after the way I worked for him and his interests, *and then the way he treated me afterward, that he could expect nothing better, than that I should buck him, any man that would not, is not fit to be called a man.*

*I never would have worked for him again anyway, but if he had treated me like a white man, I would then at least remained neutral.*

*Now it is war to the knife and the knife to the hilt, and be D—d to the quitter.*

*I have got two or three cards up my sleeve that will make him sick.*



I am not telling anything about the business here, but can say this much, that it is simply awful it is that rotten, (work done on the cruise) well I expected to find things bad, but never dreamed of finding things so bad as they are.

It simply reeks with fraud. I have at last got a light on what has always been a mystery to me, to-wit, why N— asked me in the presence of yourself and Harry to fake in those figures on Sec. 15, 38, 6. Well say if I had complied with his request he would then have held the trump card on me, would he not, and all my years of building up a reputation would have gone to Hades in a hand-basket, and he could then manipulate all my work to suit. Well when I refused to fake a report for him, (of which there was no danger) I let myself out one way, *but let myself in good for the future*, \$10,000. wouldnt have paid me for doing that stunt.

Now, Tom, here is the way things stand, that matter may not come up, but if it does, *I want that paper backed by you and Harry Leighton's signatures*. And if I don't get them, I will have to subpoena both of you and put you under oath to tell of the occurrence.

*I am in this fight to win*, and all I ask is the truth, and all I need to tell is the truth, which I will do, let the consequences be what they may.

Well we have had a fine trip and will be in Orofino May 5 or 6. Will have lots to tell you later when at liberty to do so.

*Mum's the word on your part about this letter, except to Leighton who I ask you as a friend to see,*



*and sign those papers at once so they will reach Orofino not later than May 6.*

Until then I remain your old side-kicker and companion in much misery and some joy.

ROY WHERRY.

P. S. Harry has moved and his new address is  
117 E. 32nd South. ROY.

Endorsed: Filed May 9, 1916.

W. D. McReynolds, Clerk.

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*PLAINTIFF'S EXHIBIT NO. 12.*

Pierce, Idaho, April 4, 1916.

Mr. H. M. Leighton,

Portland, Ore.

Dear Harry:

Well, as this is my last chance for next 3 weeks, will try and scribble you a few lines.

We leave here tomorrow A. M. for Headquarters camp, will take two days for 22 miles, about 75 lbs. to carry, on snow shoes.

Have had good weather until today, snowing to beat H—— now. Have not camped out yet. We went from Weippe 8 miles east into 35-5, checked some of Miller's work, and we have been on his work, here too, that is judging by the letter N—, no names or dates at cor's, and some cor's no N—

Checked an 80 of Snyder's yesterday, am anxious to check up on the books, when we get back to Orofino, every thing is working nicely and agreeable. Albright is a good man, is a fine topographer, am mighty glad to have him since you could not come.

Say I took to snowshoes like a duck to water, pretty hard though the snow is so heavy. We are always glad to take them off at night, believe me.

John Swanson is a good fellow to work with, but I have been able to show him a few new wrinkles about timber estimating. And unlike most Swedes would be, he is willing to adopt anything I show him is right. He is sure tickled over his tally register and threatens to get two more when I go back to Port.

Well of course I will have a lot to tell you when I see you again so will not write much more now.

I suppose you will be hearing from Becker or Butler soon, about my suit case. When you go after it don't forget what I said before about putting on seals before leaving the house or presence of Cornell. Then if there is anything gone. Believe me somebody will have more trouble than they made me.

D—— it makes me hate the sons of B—— every time I think of it. Here I have had to go and buy over \$40.00 worth of stuff, and still have not an outfit, besides the humiliation of the thing, well every dog has his day and its a long road you know.

Well Harry snoop around all you can, but tell nothing about me. Will probably see you about the 1st.

In the mean time be good.

Your friend,

ROY WHERRY.

P. S. Don't forget to tie suit case up good. Ta. Ta.

Endorsed: Filed May 9, 1916.

W. D. McReynolds, Clerk.

*PLAINTIFF'S EXHIBIT NO. 13.*

Weippe, Idaho, Mar. 27/16.

Mr. H. M. Leighton,  
Portland, Oregon.

Dear Harry:

Arrived here O. K. last night 11:30 P. M. cold and rainy.

We are going to take a side hike from here for a couple of days.

Everything arranged O. K. Say Harry you will get a letter from Becker, Orofino, soon with a check for \$50.00 for the hotel skunk. Get my suit case and send by Ex. to me Orofino, c/o John R. Becker.

Now listen, when you go to the hotel to get it, I want you to get a seal of some sort and paste over the lock in Cornell's presence before you ever take it away, *get me* this is important. Then strap or tie securely, there is no good lock on it and I would not have it spill contents for a whole lot of dough. We decided to do this as a matter of precaution, and if there is anything missing I will have a basis of action. If you remember Cornell made rather a peculiar statement, when he said "what reason would I have to go through the contents." Some one else could do that, *see*.

Butler and Becker both gave me H—— for letting such a thing happen.

Now listen it is necessary about the seal anyway for I told them that I sealed it before leaving, in order to allay their anxieties as much as possible.

Well Harry I will close now and write again soon.  
Write me at Pierce.

With kindest regards,

Your friend,

ROY WHERRY.

P. S. Find enclosed order to Cornell, if he says anything regarding you bringing the check show him Becker's letter.

Filed May 9th, 1916.

W. D. McReynolds, Clerk.

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*PLAINTIFF'S EXHIBIT NO. 14.*

September  
Twenty-eight,  
1914.

Roy Whearry,  
Pierce, Clearwater Co.,  
Idaho.

Dear Sir:

Enclosed find check for Fifty (\$50) Dollars, which will take care of you until you reach Portland, or until you hear from me further.

Wire me as soon as you arrive in Pierce, or, if you have an opportunity to send out mail, write me in the meantime.

I am enclosing also a check for Fifty (\$50) Dollars for Laughlin. If you finish on the tenth of October, it is possible I may send you into the Township just east of Weippe, but can't tell as yet.

The owners of Sections 34-35 in Tp. 38-6 have a cruise, made in 1906, and it only shows about one-

third the amount of timber you have. Let me know if you went over this ground carefully, and how confident you feel about your own work on these two sections.

Enc.

Yours very truly,

Filed May 9th, 1916.

W. D. McReynolds, Clerk.

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*PLAINTIFF'S EXHIBIT NO. 15.*

In Camp—Sec. 34-38-7,

Oct. 4/14.

Mr. M. G. Nease,  
Portland, Oregon.

Dear Sir:

Yours of the 28th to hand and contents noted, also two checks received O. K.

We are having a tough time of it, rough country and worse weather, but will get by unless it covers us up with snow. Tuttle and Leighton are with us. We figure on arriving in Pierce the 11th or 12th. I would be glad to get a tract of better going for a change.

Send instructions to Pierce if you receive this in time.

Now regarding the estimate on 34-35 in 38-6 you can rely on my estimate as being very near the mark, and the ground was covered carefully, as all of my work is. A man may get off a little on a 40—but I never put any figures on the report sheets unless I am satisfied they are alright according to my judgment; and if those parties who own Sec's. 34-35 want



to bet any money on their cruise being right or nearer right than mine, I will take them on for all I have.

I would like to meet the man who made such a report on those sections. I would show him up for a *Boob*. Those two sections were particularly easy to cruise accurately on the timber part. No burns or but little openings except some in N $\frac{1}{2}$  of 34, Sec. 35 is almost a solid stand of second growth W. Pine, much of it of fair size. When I got through and totaled up, I told Tom at the time that I thought I was a little low.

Why their figures if they only represent  $\frac{1}{3}$  of my estimate would only amt. to 6000 feet per acre; any one can ride through on the wagon road and see at a glance that it would run heavy; any time I send in a report to you, you can rely that it is pretty near the mark on a safe logging basis. So tell those parties to hire a competent estimator next time instead of a mutt.

Well I hope to hear from you at Pierce when we get there. I will be glad to get there myself, we are all suffering for lack of proper clothing.

Hope we get the Tp. you speak of E. of Weippe, 35-5, it ought to be fairly good and give us a chance to gain a little once more.

Nothing else I can think of, of any interest, so will close, with best wishes,

Yours resp.,

ROY WHERRY.

Filed May 9, 1916.

W. D. McReynolds, Clerk.

*PLAINTIFF'S EXHIBIT NO. 16.*

OFFICE OF THE  
BOARD OF COUNTY COMMISSIONERS,  
CLEARWATER COUNTY.

Orofino, Idaho, Mar. 14, 1914.

Mr. M. G. Nease,  
Portland, Oregon.

Dear Sir:

The following described land is designated by the Commissioners for you to cruise under your contract:

Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 15, 16, 17 and 18 in Township 38 North, Range 3 East.

Sections 10, 11, 12, 13, 14, 15, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34 and 35 in Township 39 North of Range 3 East, B. M.

JOSEPH KAUFFMAN,  
Clerk of Board Co. Comrs.  
By F. N. S.

Filed May 11, 1916.

W. D. McReynolds, Clerk.

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*PLAINTIFF'S EXHIBIT NO. 17.*

OFFICE OF THE  
BOARD OF COUNTY COMMISSIONERS  
CLEARWATER COUNTY.

Orofino, Idaho, Mar. 13, 1914.

Mr. M. G. Nease,  
Portland, Oregon.

Dear Sir:

Can you advise me as to about what time you ex-



pect to start cruising in this county; the assessor is ready to select the townships to be cruised.

The Potlatch Lbr. Co. has invited us to inspect their holdings, mills, and camps at Elk River. If you could be here within the next two weeks, I will be ready to accompany you on the inspection, otherwise I will have to finish sawing and will not be able to go.

Yours truly,

FRANK ZELENKA.

Filed May 11, 1916.

W. D. McReynolds, Clerk.

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*PLAINTIFF'S EXHIBIT NO. 18.*

March 27th, 1914.

Mr. Frank Harrison, County Commissioner,  
Fraser, Clearwater County, Idaho.

Dear Sir:

I am leaving here Sunday, April 5th, and will arrive in Elk River, with my bunch of cruisers, the following day and we intend to look through the logging works and mill there, to get a line on defective timber, breakage, etc.

The County Commissioners and Assessor of Latah County will be there and I am very anxious to have the Board of Commissioners of Clearwater County also meet us there and join us in this inspection of the mills and logging camps. Also it will give you all an opportunity to look over the men I am bringing with me and a chance to form your own judgment as to their ability, etc.



classification, which is a "hummer" and I am sure will please all of the officials of your County as well as the tax-paying public.

Yours very truly,

NF

Endorsed: Filed May 11, 1916.

W. D. McReynolds, Clerk.

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*PLAINTIFF'S EXHIBIT NO. 20.*

Day Letter, Western Union Telegraph Company.

March 19th, 1914.

To P. H. Blake, County Assessor,  
Orofino, Idaho.

Will leave here with entire crew April fifth, arriving Elk River following day. Can commissioners and self meet us there. Can your engineer furnish at my expense blue prints of townships to be cruised. Advise if these arrangements are satisfactory.

M. G. NEASE.

Charge Nease Timber Company.

Endorsed: Filed May 11, 1916.

W. D. McReynolds, Clerk.

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*PLAINTIFF'S EXHIBIT NO. 21.*

Western Union Telegraph Company.

Portland, Oregon, April 3rd, 1914.

Frank Harrison,  
Fraser, Idaho.

Will meet Boville Monday April sixth please be there.

M. G. NEASE.

Charge

Nease Timber Company.

Endorsed: Filed May 11, 1916.

W. D. McReynolds, Clerk.

*PLAINTIFF'S EXHIBIT NO. 22.*

Mr. M. G. Nease,  
Portland, Ore.

Dear Sir:

I would have answered your wire of the 19th sooner but the board was to meet yesterday and I wished to consult them about meeting with you at Elk River on the 6th of April. They decided to meet you there on that date, and I will try to go with them if it is possible for me to get away at that time.

I really believe that it would be easier for your men to get in from here than from Elk, but would not suggest than you change your plans now, as I think that there will be horses at Elk by that time so that you can get transportation.

We have not definitely decided on the other lands to be cruised yet, but will do soon when the board meets in April. I got an intimation that the "Barons" would not take any action until you presented your claim for the work, and at that time they would try to restrain the Auditor from issuing the warrants. I believe that this information is pretty straight. Hoars case will be held at Lewiston some time this week, but I believe that there is nothing to it, in fact the Judge so stated at the time the demurrer was argued here.

It looks as tho the timber people will fight the cruising very bitterly, as they know what the result will be if the timber is cruised.

Very truly,

P. H. BLAKE, Assessor.

Endorsed: Filed May 11, 1916.

W. D. McReynolds, Clerk.

*PLAINTIFF'S EXHIBIT NO. 23.*

THE WESTERN UNION TELEGRAPH  
COMPANY.

SEND the following message subject to the terms on  
back hereof, which are hereby agreed to.

Portland, Oregon, April 3rd, 1914.

P. H. Blake,

Orofino, Idaho.

Meet Boville Monday, notify Zelenka, you and  
Zelenka please come.

M. G. NEASE.

Charge Nease Timber Company.

Filed May 11, 1916.

W. D. McReynolds, Clerk.

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*PLAINTIFF'S EXHIBIT NO. 24.*

WESTERN UNION NIGHT LETTER.

Received at 76 Third Street, Cor. Oak, Portland, Ore.  
88SK BV NL

Potlatch, Ida., April 2, 1914.

M. G. Nease,

Lumbermens Bldg., Portland, Ogn.

Neither saw mill nor logging camps are operating  
at Elk River but logging is going on at Bovill and  
mill at Potlatch is running two shifts. Commission-  
ers of Latah County suggest that you so alter your  
plans that you stop off at Bovill with party on sixth  
instead of going to Elk River. Wire immediately  
whether this is satisfactory giving size of your party  
so that we can make necessary arrangements upon  
receipt of your wire. We will notify Torgeson.

POTLATCH LBR. CO.

Filed May 11, 1916.

8:47 PM

W. D. McReynolds, Clerk.



*PLAINTIFF'S EXHIBIT NO. 25.*

CLATSOP COUNTY,

Astoria, Oregon,

February 18th, 1914.

To The Honorable Board of County Commissioners,  
Clearwater County, Idaho,  
Orofino, Idaho.

Gentlemen:

In reply to your inquiry pertaining to the cruising of timber in Clatsop County, Oregon, beg to state that during the past year the Board of County Commissioners of Clatsop County, of which I am a member, caused the timber in Clatsop County to be cruised for the purpose of furnishing to the Assessor's office proper and reliable data to enable him to make a just and equitable assessment.

After thoroughly investigating the cruising question we decided to entrust M. G. Nease with the contract to cruise our timber and the cruise was finished by him in time to be used by the Assessor in making up his 1913 assessment roll.

About eight or nine years ago the former commissioners of Clatsop County had a sort of a cruise made by employing men by the day. Based on that cruise our maximum values on the timber land of Clatsop County was a little less than \$3,000,000. Our 1913 roll, made after the Nease cruise, shows a value of approximately \$10,000,000, which would indicate that the first cruise made by the day labor was one particularly favorable to the timber interests and very inaccurate.

We carefully checked the Nease cruise and found his work to be very reliable.

Since the completion of this cruise some of the timber companies have appealed from the decision of the Board of Equalization to the Circuit Court, asking to have the values reduced on their various holdings, claiming that the cruise was excessive. These cases have been tried and the cruise and values based thereon upheld by the Circuit Court, so the net result is that we have a cruise which has proven satisfactory by checking and one which has stood the test of the Courts.

Before making this contract with Mr. Nease we investigated very thoroughly the methods used in the various counties which have cruised in Oregon and Washington and we satisfied ourselves that the system used by Mr. Nease secured the very best results that could be obtained. We found that Mr. Nease has made cruises in a number of counties. By comparing his work with that done by other cruisers we found that his work had in every case stood the test and that the result was in all instances satisfactory to the respective County Courts.

Should you see fit to entrust the cruise of your county to him I am sure that you will get value received and that all parties concerned will secure a square deal. I know that he is the only man in this part of the country making a specialty of this kind of work and that he has no connections or affiliation with any timber corporation whatsoever and I am satisfied, by our experience, that no timber interests could influence him in any manner.



In conclusion I will say that he carried out the contract with Clatsop County both in letter and spirit and the people in general throughout the county feel that the money paid to him for this cruise was one of the wisest expenditures ever made by Clatsop County.

Yours very truly,

JOHN FRYE,

Commissioner.

F/F

CLATSOP COUNTY.

Astoria, Oregon, February 20th, 1914.

To the Honorable Board of County Commissioners,  
Clearwater County, State of Idaho.

Orofino, Idaho.

Gentlemen:

During the year of 1913, this County, acting through its Board of Commissioners, entered into a contract with Mr. M. G. Nease, of Nease Timber Company, to cruise the timber land of Clatsop County for assessment purposes.

Prior to giving them this contract we thoroughly investigated their business standing, their system of cruising and by comparison with all other concerns purporting to be in this line of business we found Nease Timber Company, to be literally in a class by themselves. They have the only large organization in the Northwest and devote their energies exclusively to the cruising of timber in various counties for assessment purposes and we found that they did no private work for individuals or corporations

and that they had no connection with any timber owners in any manner.

I sincerely recommend Mr. Nease and his organization for your consideration, knowing as I do the character of work performed by them and their general standing.

Our investigation of the cruising matter prior to entering into a contract with Mr. Nease revealed the fact that he was the *only* man in the Northwest confining his attention exclusively to counties.

Yours very truly,

FRED H. MOORE,  
County Commissioner.

#### CLATSOP COUNTY.

Astoria, Oregon, February 19th, 1914.

To the Board of County Commissioners, Clearwater  
County, Idaho.

Gentlemen:

I beg to advise that the assessment of Timber lands in Clatsop County, Oregon, for the year 1913, shows an increase of about three times over the assessment of 1912; said increase is due to the cruise of timber made by the Nease Timber Co.

The majority of small tax payers are not paying any more County and State taxes than they did in 1912, notwithstanding the fact that the State tax was increased from \$25,000 to \$97,000.

Very truly yours,

F. P. LEINENWEBER,  
County Assessor, Clatsop County, Oregon.

## COMPARATIVE TAX STATEMENT

For Years 1912 & 1913.

Conrad Bottner, SW $\frac{1}{4}$  of SW $\frac{1}{4}$ , N $\frac{1}{2}$  of SE $\frac{1}{4}$ , S W $\frac{1}{4}$  of SW $\frac{1}{4}$ , Sec. 32-5-8; tax 1912, \$22.93; tax 1913, \$19.28.

Oskar Sonquist, S $\frac{1}{2}$  of SW $\frac{1}{4}$ , Sec. 7-7-8; tax 1912, \$44.69; tax 1913, \$39.96.

W. N. Reed, Lots 1, 2, 3, 4, S $\frac{1}{2}$  of NE $\frac{1}{4}$  of SW $\frac{1}{4}$ , Sec. 22-5-7; tax 1912, \$44.16; tax 1913, \$36.35.

Astoria Savings Bank, bank stock; tax 1912, \$6,-597.78; tax 1913, \$6,050.22.

Gladstone Oregon Timber Co., (Timber); tax 1912, \$1,154.22; tax 1913, \$4,572.48.

Detroit Trust Co., (Timber); tax 1912, \$1,673.48; tax 1913, \$5,904.21.

Dubois Lumber Co., (Timber); tax 1912, \$11,-540.07; tax 1913, \$29,964.60.

Pacific Power & Light Co.; tax 1912, \$3,975.19; tax 1913, \$5,978.60.

Pacific Telephone & Telegraph Co.; tax 1912, \$1,-757.70; tax 1913, \$3,070.10.

Spokane, Portland & Seattle R. R. Co.; tax 1912, \$34,854.21; tax 1913, \$50,451.67.

F. P. LEINENWEBER,  
County Assessor.

## CLATSOP COUNTY.

Astoria, Oregon, Feb. 21, 1914.

Hon. Frank Zelenka, Chairman Board of Commissioners, Clearwater County, Orofino, Idaho.

Dear Sir:

Relative to your inquiry regarding the experience

of Clatsop County, Oregon, in the matter of having the timber cruised, I would say that the results have been very beneficial. More particularly to the resident and small property owner of Clatsop County.

It is a well known fact that the timber of this county is about 90% owned by large eastern corporations; that the topography of Clatsop County is such that these vast forests lay away from any road and are inaccessible to the ordinary person, and it was impossible for our assessor to get any definite information as to the amount or kind of timber of these lands. Consequently, he was unable to form any reliable idea as to the value of the same. On the other hand, other classes of property in the County were easy of access and the results of the conditions above mentioned were that the farmer, business man and resident owner, were paying the largest proportion of the taxes while the real valuable property of the County, owned for speculative purposes, was escaping taxation.

We entered into a contract with the Nease Timber Company of Portland, Oregon, who proceeded to cruise the County and file records of their findings with the County Assessor. The result was that the value of the timber of this County as it appeared upon the assessment rolls, was trebled. As an illustration of the benefits, I desire to say that for the year 1914, Clatsop County is raising \$300,000.00 more than they did during the year 1913, owing to some extensive developments that are being carried out, and notwithstanding this vast increase in

amount of funds raised by taxation, the majority of taxpayers in Clatsop County, are paying less taxes in 1914, than they paid in 1913. On the other hand, the large timber interests are paying as high as three times as much taxes as they paid prior to this time.

Regarding Mr. Nease's work, I would say, that we made a careful investigation of the cruise he has used and as used by the various counties in Oregon and Washington, and after having had correspondence with other county officials as to their experience in this matter; we decided that the Nease Timber Company was offering the most attractive proposition, which we accepted.

Their contract price with Clatsop County amounted to something like \$52,000.00; they have completed their contract; and we are enjoying the advantages which we gained through the same; and after having carefully checked Mr. Nease's cruise, I am frank to state, that if I had this matter to go through with again, I would employ the Nease Timber Company to do the work, as I believe that they are the best organized and most thoroughly equipped company in this county for doing work of this kind.

In conclusion, I desire to state, that if there is any further information that you may desire, that I may be able to furnish you, I will be glad to do so.

Very respectfully yours,

EDW. C. JUDD,

County Judge.

ECJ/WBB



CLATSOP COUNTY.

Astoria, Oregon, February 20th, 1914.

To the Honorable Board of County Commissioners,  
Clearwater County, State of Idaho, Orofino, Idaho.  
Gentlemen:

In accordance with the request made by your Mess. Zelenka and Torgerson concerning the timber cruise in Clatsop County, beg leave to state that during the year 1913, the County Commissioners of Clatsop County, of which I am a member, caused our timber to be cruised for the purpose of furnishing reliable data to the Assessor on which he could base his values.

Our cruise has been satisfactory in every respect and the tax payers of this County, as well as the officials feel that these cruising records are among the County's most valuable assets.

Prior to having this cruise made the valuations on timber land were approximately \$3,000,000 in this County. Since the cruise the values were approximately \$10,000,000, an increase of over 300%.

A few of the companies affected by this cruise appealed to the Circuit Court from the decision of the Board of Equalization. Several of these cases have been tried and all of them have been decided in favor of the County, the Court in all cases upholding the cruise and the valuations placed on the timber.

We thoroughly investigated the subject of taxation and came to the conclusion that the only equitable way to arrive at values of timber land was to have the same properly cruised.

We checked the work done by Nease Timber Company in this County and are thoroughly satisfied with the same and believe that we have the best and most reliable cruising records of any County in the Northwest.

I do not hesitate to advise the commissioners of any county to proceed at once to have their timber cruised, as I am quite sure that the results will more than justify the expense.

The increase in revenue in our County, based on last year's levy would have paid for the cruise five times over in one year and from the best information I have concerning Clearwater County, Idaho, I am quite certain that the cost of cruising your county will result in an increase in revenue in one year greatly in excess of the cost of the cruise

Any other information that you may desire I will be pleased to furnish upon request.

Very truly yours,

FRED H. MOORE,

County Commissioner.

M/E

OREGON CITY, OREGON.

February 19th, 1914.

To the Honorable Board of County Commissioners,  
Clearwater County, State of Idaho, Orofino, Idaho.  
Gentlemen:

Replying to the verbal inquiry made this day by Messrs. Zelenka and Torgerson will say that this County had its timber cruised the past year and the public of this County, as well as the officials, feel



that the benefits derived from the cruise were well worth the expenditure.

The Nease Timber Company had the contract for cruising this County and their work was very thorough and satisfactory. I am quite sure that there would be no danger of any timber companies exercising any influence over Mr. Nease or his company, and assure you that I believe that should you entrust them with the contract for your County that you would secure good honest work.

Our County Commissioners selected Mr. Nease and his company to do our work after a thorough investigation of them. I believe they have by far the best facilities and best organization for doing this kind of work of any concern in this country and am satisfied you could make no mistake in having your County cruised as the benefits to any timbered County will more than offset the expense and as stated before should Mr. Nease and his company do the work you will get an absolute square deal.

Yours respectfully,

J. E. JACK,

County Assessor.

J/F

Portland, Oregon, February 19, 1914.

Messrs. Frank Zelenka and E. O. Torgerson, Commissioners, Clearwater County, Orofino, Idaho.

Dear Sirs:

Referring to your inquiry as to Mr. M. G. Nease, we beg to advise that Mr. Nease has been a customer of this bank for some years and our relations with him have been most satisfactory.

Mr. Nease has had considerable experience in timber cruising and, as far as we know, his work has been eminently satisfactory to those who have employed him. We have from time to time assisted Mr. Nease in the financing of his operations and the writer does not know of an instance in which a request of Mr. Nease for assistance has been refused, and his record with us has been in every way satisfactory.

Mr. Nease has done considerable work for counties in Oregon in cruising for assessment and I think if you will investigate at the several points he will designate, you will find that he would quickly be re-employed for similar work by the county, if it were found necessary.

Trusting the above information is what you desire,  
I am,

Yours very truly,

R. L. HOWARD,  
Assistant Cashier.

Portland, Oregon, February 17, 1914.  
To the Board of County Commissioners, Clearwater  
County, Orofino, Idaho.

Gentlemen:

In reply to your verbal inquiry regarding our experience in cruising timber in Columbia County, Oregon, will say that in 1907 we gave a contract to M. G. Nease of Portland, Oregon, to cruise the timber for assessment purposes. The cruise made by Mr. Nease has been used by our County ever since as a basis of our assessments. As a result of the cruise, the values on timber lands were more than

doubled the first year, and we were able to reduce our levy very materially, and still pay for the cruise the first year. Based on our own experience, we certainly would advise any county containing timber land to have the same cruised for assessment purposes.

I am very glad to say that the work performed by Mr. Nease was entirely satisfactory, and am satisfied that no timber company could exercise any influence over him or his work, and I take great pleasure in recommending him to your county, believing that he will give everybody concerned a square deal. Any further information required, I will be pleased to furnish you.

Yours very truly,

H. WEST.

Oregon City, Oregon, February 19th, 1914.

To the Honorable Board of County Commissioners,  
Clearwater County, State of Idaho, Orofino, Idaho.  
Gentlemen:

Replying to the verbal inquiry made this day by Messrs. Zelenka and Torgerson as to the benefits derived from the cruise made of the timber in this County will say that we believe that these records are the most valuable assets of this County.

Prior to having our timber cruised the valuations placed on timber were largely a matter of guess work, as it was impossible for the Assessor to determine the value of different ownerships of timbered land without having a reliable cruise.

The cost of cruising this County has practically

been paid the first year in the increase in taxes derived from the timber companies.

Prior to the cruise being made the timber owners were not paying anything like their just proportion of the taxes, as you will see by specific instances shown below. The first section shown, however, is rather an unusual instance, as this particular section of timber is one of the heaviest in our County. The second instance represents all of the Weyerhaeuser holdings scattered throughout the County. The third instance is an average section, as far as increase in value is concerned.

Section 13, Twp. 6 South, 3 East:

1912 Valuation, \$ 9,600. Taxes, \$153.60

1913 Valuation, 57,560. Taxes, 920.96

Weyerhaeuser Land Company's holdings throughout County:

19,854 acres, 1912 Valuation, \$169,740. Taxes \$2,715.84.

19,854 acres, 1913 Valuation, \$537,345. Taxes \$8,597.52.

Section 11, Twp. 6 South, 3 East:

1912 Valuation, \$ 9,600. Taxes, \$153.60

1913 Valuation, 32,880. Taxes, 526.08

Based on our actual experience we certainly could not do otherwise than recommend to any timbered county that it proceed to have its timber cruised for assessment purposes.

Yours respectfully,

J. E. JACK,

J/F

County Assessor.

IN THE DISTRICT COURT OF THE STATE OF  
OREGON, FOR CLATSOP COUNTY.

G. Wingate, Plaintiff,

vs.

Clatsop County, Defendant.

State of Oregon,

County of Columbia,—ss.

I, C. W. Blakesley, being first duly sworn depose and say: That I am the duly elected and acting County Assessor of Columbia County, State of Oregon, that during the year of 1907, the County of Columbia had the timber lands of said County cruised by Mr. M. G. Nease for the purpose of furnishing the County Assessor with information and data so that he could properly and intelligently assess said timber lands for taxation according to the value of said lands, that the cruise so made resulted in increasing the assessed valuation in this county, of timber lands, many millions of dollars, and the tax levy was thereby greatly lowered.

C. W. BLAKESLEY,

Assessor of Columbia County, Oregon.

Subscribed and sworn to before me this 12th day  
of May, 1913.

(Seal.)

H. E. LaBare,  
County Clerk.

By A. F. Barnett, Deputy.

State of Oregon,

County of Multnomah,—ss.

I, R. E. Fulton, of lawful age, who being first duly sworn, depose and say that the foregoing is a true



and correct copy of original affidavit and the whole thereof.

R. E. FULTON.

Subscribed and sworn to before me this 19th day of February, 1914.

H. B. Beckett,  
(N. P. Seal.)     Notary Public, State of Oregon.

IN THE CIRCUIT COURT OF THE STATE OF  
OREGON, FOR CLATSOP COUNTY.

M. Wingate, Plaintiff,

vs.

Clatsop County, Defendant.

State of Oregon,

County of Columbia,—ss.

I, W. A. Harris, being first duly sworn, depose and say, that I am the duly elected County Judge of Columbia County, Oregon, that in the year of 1907, I was County Clerk of said County, and that in the said year of 1907, the County of Columbia had the timber lands of said Columbia County cruised by contract with Mr. M. G. Nease, the cruise being made for the purpose of furnishing the County Assessor with the necessary information and data so that he could properly and intelligently assess said lands for taxation, that the cruise so made resulted in increasing the assessed valuation in this county, of timber lands, many millions of dollars, and thereby taxes were equalized on all classes of property, and the tax levy in this county was greatly reduced.

W. A. HARRIS.

Subscribed and sworn to before me, this 12th day of May, 1914.

(Seal.) H. E. LaBare,  
County Clerk.  
State of Oregon,  
County of Multnomah,—ss.

I, R. E. Fulton, of lawful age, who being first duly sworn, depose and say that the foregoing is a true and correct copy of original affidavit and the whole thereof.

R. E. Fulton.

Subscribed and sworn to before me this 19th day of February, 1914.

(N. P. Seal.) H. B. Beckett,  
Notary Public, State of Oregon.

IN THE CIRCUIT COURT OF THE STATE OF  
OREGON, FOR CLATSOP COUNTY.

C. Wingate, Plaintiff,  
vs.

Clatsop County, Oregon, Edward C. Judd, County  
Judge of Clatsop County, Oregon, Fred H. Moore  
and John Frye, County Commissioners of Clatsop  
County, Oregon, and Nease Timber Company, De-  
fendants.

AFFIDAVIT.

State of Oregon,  
County of Multnomah,—ss.

I, W. H. Matton, of lawful age, being first duly sworn, depose and say: That I am one of the County Commissioners of Clackamas County, Oregon; that on the 23rd day of November, 1912, Clackamas Coun-



ty entered into a contract with Mr. M. G. Nease, Secretary and General Manager of the Nease Timber Company, to cruise the timber lands situated in Clackamas County; that the County Court of Clackamas County made a careful and thorough investigation as to the assessed values of timber lands, situated in said county, and found, after such investigation, that timber lands were not bearing their just burden of taxation; after careful investigation as to the character, integrity and ability of Mr. Nease, the County Court decided to award him the contract for the cruising of said timber lands; that practically four-fifths ( $\frac{4}{5}$ ) of the timber lands of Clackamas County have been cruised by Mr. Nease; that said contract and reports of the cruisers, made and filed by Mr. Nease with the County Assessor have been checked up and verified, and the same have been found to be in all respects substantially correct; that the said cruises were checked by checkers employed by the County Court; that the reports of cruisers that have been turned in have verified the judgment of the County Court, as to the necessity of cruising the timber lands for assessment purposes; that they have demonstrated that the timber lands of the County were not bearing their just share of taxation; that one section of land that was assessed in 1912 at Nine Thousand Dollars, is found to have thereon One Hundred and Thirteen Million, Eight Hundred Thousand Feet of merchantable timber, which is conservatively worth One Hundred and Thirteen Thousand and Eight Hundred Dollars. Numerous other in-

stances of the varity of the assessed value with the real value might and could be cited.

W. H. MATTON.

Subscribed and sworn to before me this 9th day of May, 1913.

H. B. Beckett,

(Seal.) Notary Public, State of Oregon.  
State of Oregon,  
County of Multnomah,—ss.

I, R. E. Fulton, of lawful age, who being first duly sworn, deposes and say that the foregoing is a true and correct copy of the original affidavit and the whole thereof.

R. E. FULTON.

Subscribed and sworn to before me this 19th day of February, 1914.

H. B. Beckett,

(N. P. Seal.) Notary Public, State of Oregon.  
Plaintiff's Exhibit No. 25.

Filed May 11, 1916.

W. D. McReynolds, Clerk.

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*PLAINTIFF'S EXHIBIT NO. 28.*

I, M. Alexander, Chairman of the State Board of Land Commissioners of the State of Idaho, do hereby certify:

That the following list gives the true and exact status as shown by the records of my office, of the lands described herewith, belonging to the State of Idaho, situated in Clearwater County, State of Idaho:

Sub-division	Section	Range	Clear and unincumbered	Status
NW $\frac{1}{4}$ NE $\frac{1}{4}$	27	38 N. 1 W. B. M.	"	"
NW $\frac{1}{4}$ NW $\frac{1}{4}$	"	"	"	"
SW $\frac{1}{4}$ NW $\frac{1}{4}$	"	"	"	"
Lots 1 & 2	35	38 N. 1 E. B. M.	"	"
NE $\frac{1}{4}$ SE $\frac{1}{4}$	34	"	"	"
E $\frac{1}{2}$ SE $\frac{1}{4}$	1	39 N. 1 E. B. M.	"	"
NE $\frac{1}{4}$ NE $\frac{1}{4}$	12	"	"	"
SW $\frac{1}{4}$	5	38 N. 2 E. B. M.	"	"
NE $\frac{1}{4}$ SW $\frac{1}{4}$	22	"	"	"
NE $\frac{1}{4}$ SE $\frac{1}{4}$	"	"	"	"
NW $\frac{1}{4}$ SW $\frac{1}{4}$	23	"	"	"
Lots 4, 5 & SW $\frac{1}{4}$ NW $\frac{1}{4}$	2	40 N. 2 E. B. M.	"	"
NW $\frac{1}{4}$ SE $\frac{1}{4}$ & S $\frac{1}{2}$ SE $\frac{1}{4}$	11	37 N. 3 E. B. M.	"	"
NE $\frac{1}{4}$ NE $\frac{1}{4}$	28	"	"	"
NE $\frac{1}{4}$ NE $\frac{1}{4}$	29	"	"	"
SW $\frac{1}{4}$ NW $\frac{1}{4}$	5	34 N. 4 E. B. M.	"	"
NE $\frac{1}{4}$ SE $\frac{1}{4}$ & S $\frac{1}{2}$ SE $\frac{1}{4}$	35	35 N. 4 E. B. M.	"	"

NE $\frac{1}{4}$ SE $\frac{1}{4}$ & S $\frac{1}{2}$ SE $\frac{1}{4}$	7	38 N. 4 E. B. M.	"	"	"
SW $\frac{1}{4}$	8	38 N. 4 E. B. M.	"	"	"
Lot 3	17	39 N. 4 E. B. M.	"	"	"
NE $\frac{1}{4}$ SE $\frac{1}{4}$	25	" "	"	"	"
S $\frac{1}{2}$ NE $\frac{1}{4}$ & SW $\frac{1}{4}$ SE $\frac{1}{4}$	5	38 N. 5 E. B. M.	"	"	"
NW $\frac{1}{4}$ NE $\frac{1}{4}$ & S $\frac{1}{2}$ NE $\frac{1}{4}$	8	" "	"	"	"
S $\frac{1}{2}$ NW $\frac{1}{4}$ & NW $\frac{1}{4}$ SW $\frac{1}{4}$	9	" "	"	"	"
SE $\frac{1}{4}$ NE $\frac{1}{4}$	17	39 N. 5 E. B. M.	"	"	"
NE $\frac{1}{4}$ NE $\frac{1}{4}$	26	40 N. 5 E. B. M.	"	"	"
SW $\frac{1}{4}$ NW $\frac{1}{4}$	27	" "	"	"	"
SE $\frac{1}{4}$ NW $\frac{1}{4}$	29	" "	"	"	"
NW $\frac{1}{4}$ NW $\frac{1}{4}$	16	41 N. 5 E.	"	"	"
N $\frac{1}{2}$ SW $\frac{1}{4}$	8	38 N. 6 E.	"	"	"
NW $\frac{1}{4}$ NW $\frac{1}{4}$	24	" "	"	"	"
NW $\frac{1}{4}$	16	39 N. 6 E.	"	"	"

The following described lands are included in lists pending before the Department of the Interior, awaiting patent from the United States Government and the State of Idaho has in no manner disposed of any rights it may have thereto.

Sub-division	Section	Township	Range
Lots 3 & 4	2	38N.	3E.B.M.
Lot 1	3	"	"
Lot 7	6	"	"
S E $\frac{1}{4}$ N W $\frac{1}{4}$	8	"	"
S E $\frac{1}{4}$ S W $\frac{1}{4}$	9	"	"
S W $\frac{1}{4}$ N W $\frac{1}{4}$	14	"	"
S $\frac{1}{2}$ N W $\frac{1}{4}$	15	"	"
Lots 1 & 2	18	"	"
E $\frac{1}{2}$ N W $\frac{1}{4}$	"	"	"
Lots 7, 8 & 9	22	"	"
Lot 2	27	"	"
Lots 1, 2, 3, & 4	28	"	"
Lots 1, 2, 3, 4, 5,	29	"	"
Lots 6, 7, 8, & N $\frac{1}{2}$ S $\frac{1}{2}$	29	"	"
" 1, 2, 3, 4, 5,	30	"	"
" 6, 7 & 8	30	"	"
N W $\frac{1}{4}$ N W $\frac{1}{4}$	17	41N.	5E.B.M.

The following described lands, situated in Clearwater County, Idaho, which have been sold together with the Certificate of Sale, its number, date and purchaser are as follows:

No. of Certificate							
Sub-div.	Sect.	Twp.	Range	of Sale	Purchaser	Address	Date of Sale
NE $\frac{1}{4}$ NE $\frac{1}{4}$	27	38N.	1W.B.M.	2550	Peter Shea, Elk River	.....	July 17, 1915
SW $\frac{1}{4}$ NE $\frac{1}{4}$	"	"	"	1759	Joseph Shultz, Cameron	.....	Sept. 17, 1910
SE $\frac{1}{4}$ NE $\frac{1}{4}$	"	"	"	2472	Dalles Smith, Southwick	.....	Oct. 3, 1914
NE $\frac{1}{4}$ NW $\frac{1}{4}$	"	"	"	2336	L. J. Southwick, Southwick	.....	Sept. 27, 1913
SE $\frac{1}{4}$ NW $\frac{1}{4}$	"	"	"	2337	M. M. Zimmerman, Southwick	.....	Sept. 27, 1913
SW $\frac{1}{4}$	"	"	"	1236	Andrew Baker and J. M. McFadden, Southwick	.....	June 3, 1909
NW $\frac{1}{4}$ NW $\frac{1}{4}$	23	38N.	2E. B.M.	2244	Lewis W. Saylor, Dent	.....	Oct. 28, 1912
SW $\frac{1}{4}$ NW $\frac{1}{4}$	"	"	"	2245	Lewis W. Saylor, Dent	.....	Oct. 28, 1912
NW $\frac{1}{4}$ SE $\frac{1}{4}$	22	"	"	2461	A. E. McDonald, Dent	.....	Oct. 3, 1914
NW $\frac{1}{4}$ NW $\frac{1}{4}$	32	"	"	2246	Fred Scott, Spokane, Wn	.....	Oct. 28, 1912
NE $\frac{1}{4}$ SE $\frac{1}{4}$	"	"	"	2247	A. C. Jones, Prescott, Wn	.....	Oct. 28, 1912
SE $\frac{1}{4}$ SE $\frac{1}{4}$	"	"	"	2248	A. C. Jones, Prescott, Wn	.....	Oct. 28, 1912
NE $\frac{1}{4}$ SW $\frac{1}{4}$	33	"	"	2249	H. A. Leonard, Orofino	.....	Oct. 28, 1912
NW $\frac{1}{4}$ SW $\frac{1}{4}$	"	"	"	1757	A. H. Milliken, Orofino	.....	Sept. 17, 1910

SW $\frac{1}{4}$ SW $\frac{1}{4}$	"	"	"	1758	A. H. Milliken, Orofino.....	Sept. 17, 1910
SE $\frac{1}{4}$ SW $\frac{1}{4}$	"	"	"	2250	H. A. Leonard, Orofino.....	Oct. 28, 1912
NE $\frac{1}{4}$ SE $\frac{1}{4}$	"	"	"	2251	O. C. Milliken, Ohiowa, Neb.....	Oct. 28, 1912
NW $\frac{1}{4}$ SE $\frac{1}{4}$	"	"	"	2252	O. C. Milliken, Ohiowa, Neb.....	Oct. 28, 1912
SW $\frac{1}{4}$ SE $\frac{1}{4}$	"	"	"	2253	O. C. Milliken, Ohiowa, Neb.....	Oct. 28, 1912
SE $\frac{1}{4}$ NE $\frac{1}{4}$	7	37N.	3E. B.M.	2254	W. M. Kee, Orofino.....	Oct. 28, 1912
NE $\frac{1}{4}$ NE $\frac{1}{4}$	8	"	"	2328	John P. Mix, Orofino.....	Sept. 27, 1913
NW $\frac{1}{4}$ NE $\frac{1}{4}$	"	"	"	2329	John P. Mix, Orofino.....	Sept. 27, 1913
SW $\frac{1}{4}$ NW $\frac{1}{4}$	"	"	"	2255	W. M. Kee, Table Rock, Nebr....	Oct. 28, 1912
SW $\frac{1}{4}$ NE $\frac{1}{4}$	11	"	"	2332	Axel P. Hagglund, Lewiston...	Sept. 27, 1913
SE $\frac{1}{4}$ NE $\frac{1}{4}$	"	"	"	2333	Carl R. Erickson, Lewiston.....	Sept. 27, 1913
NE $\frac{1}{4}$ SE $\frac{1}{4}$	"	"	"	2334	Axel P. Hagglund, Lewiston...	Sept. 27, 1913
NE $\frac{1}{4}$ NW $\frac{1}{4}$	9	"	"	2330	Frank Zelenka, Orofino.....	Sept. 27, 1913
NW $\frac{1}{4}$ NW $\frac{1}{4}$	"	"	"	2331	Frank Zelenka, Orofino.....	Sept. 27, 1913
SW $\frac{1}{4}$ NE $\frac{1}{4}$	36	35N.	4E. B.M.	5334	R. C. Bywaters, Nez Perce.....	Sept. 27, 1913
NE $\frac{1}{4}$ NW $\frac{1}{4}$	"	"	"	5335	C. C. Miles, Weippe.....	Sept. 27, 1913
SE $\frac{1}{4}$ NW $\frac{1}{4}$	"	"	"	5336	C. C. Miles, Weippe.....	Sept. 27, 1913
NE $\frac{1}{4}$ SW $\frac{1}{4}$	"	"	"	5337	R. C. Bywaters, Nez Perce.....	Sept. 27, 1913



NW $\frac{1}{4}$ SW $\frac{1}{4}$	"	"	"	5338	R. C. Bywaters, Nez Perce.....	Sept. 27, 1913
NW $\frac{1}{4}$ SE $\frac{1}{4}$	"	"	"	5339	R. C. Bywaters, Nez Perce.....	Sept. 27, 1913
SE $\frac{1}{4}$ NW $\frac{1}{4}$	7	37N.	4E. B.M.	2335	Lenus L. Anderson, Clarkston, Wn.,	9/27/1913
SW $\frac{1}{4}$ SW $\frac{1}{4}$	17	"	"	2256	Edward F. Bruning, Orofino....	Oct. 28, 1912
SE $\frac{1}{4}$ SE $\frac{1}{4}$	18	"	"	2257	Edward F. Bruning, Orofino....	Oct. 28, 1912
NE $\frac{1}{4}$ NE $\frac{1}{4}$	16	36N.	5E. B.M.	4979	T. B. Reed, Pierce.....	Oct. 28, 1912
NE $\frac{1}{4}$ NW $\frac{1}{4}$	31	"	"	2258	C. W. Space, Weippe.....	Oct. 28, 1912
Lot 1	"	"	"	2259	C. W. Space, Weippe.....	Oct. 28, 1912

The State of Idaho does not own the following described land for the reason that it relinquished all claim to said land due to the settlement thereon by Sol S. Caldwell prior to the survey of said land.

SE $\frac{1}{4}$  SW $\frac{1}{4}$  & S $\frac{1}{2}$  SE $\frac{1}{4}$  of Section 16 Township 37 North, Range 6 East B. M.

The State of Idaho deeded the (Deed Number 1458) NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 27 Township 38 North, Range 1 West B. M., to Byron E. and Howard T. Tupper, of Cameron, on January 10th, 1912,  
also

NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 23 Township 40 North, Range 2 East, B. M., to Anna M. Laird, Potlatch, Idaho, on July 17th, 1915. (Deed No. 2235.)

The following described lands are those from which the State of Idaho has sold the TIMBER only, under "timber deeds" numbered as shown to the purchaser on dates given below:

Sub-div. S $\frac{1}{2}$ SW $\frac{1}{4}$  and SE $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 22, Township 40 N. Range 2 E. B. M., Timber Deed No. 8; purchaser, Henry Turrish; address, West Superior, Wisc.; date of sale, July 15, 1901.

NW $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$  and SW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 23, Township 40 N. Range 2 E. B. M., Timber Deed No. 8; purchaser, Henry Turrish; address, West Superior, Wisc.; date of sale, July 15, 1901.

E $\frac{1}{2}$ NE $\frac{1}{4}$ , Sec. 33, Township 40 N. Range 2 E. B. M., Timber Deed No. 10; purchaser, Henry Turrish; address, West Superior, Wisc.; date of sale, July 15, 1901.

I further certify,

That all of the above described lands, except those lying in Township 38 North, Range 3 East, B. M., and Township 41 North, Range 5 East, B. M., are patented to the State of Idaho by the Federal Government.

In Witness Whereof, I have hereunto set my hand and affixed the Seal of the State Board of Land Commissioners, at Boise, Idaho, this sixth (6th) day of May, 1916.

M. ALEXANDER,  
Chairman of the State Board of Land  
(Seal.) Commissioners of the State of Idaho.

Endorsed: Filed May 12, 1916.

W. D. McReynolds, Clerk.

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*PLAINTIFF'S EXHIBIT NO. 29.*

Moscow, Idaho, July 6th, 1914.

Hon. Jas. E. Babb,  
Lewiston, Idaho.

Dear Sir:

Concerning the appeal from the Board of Commissioners of Clearwater County, the attorneys for the County are urging that the matter be set for trial.

I shall be absent until about the 1st of August, leaving tomorrow morning. Mr. Hodge has had no vacation whatever, and has no chance for one until after I return.

The term in Idaho County commences August 24th. I expect to give Mr. Hodge a short vacation from the 6th to the 24th of August.

If you will enter into a stipulation with the oppos-

ing counsel that this case may be heard the first day of the regular term at Clearwater County, and that you will submit the matter on briefs at Boise, instead of Lewiston, and that the appeal shall be consummated and the briefs filed by the party desiring to appeal, so that the case may be fully presented to the Supreme Court, and ready for the decision of that court before the 25th day of January, I am satisfied that the arrangement will suit opposing counsel, although they would much rather have the case tried early in August.

I shall not open court here until the 3rd, and if tried, it will have to be done during the week commencing August 3rd, as I shall not have the stenographer here after that time.

Please see the opposing attorneys, and write me at the earliest possible date, sending your letter to Moscow, and Mr. Hodge will know my address, and forward it to me.

I do not want to interfere with the vacation of any of the attorneys, but as soon as I receive your reply concerning the stipulation, I shall know whether to set the case for trial early in August, and if so set, you will be notified from Seattle of the exact date.

Very truly yours,

EDG. C. STEELE.

Endorsed: Filed May 13, 1916.

W. D. McReynolds, Clerk.

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COPY of first warrant in plaintiff's Exhibit No. 1, the original exhibit being transmitted herewith.

Orofino, Idaho, Nov. 7, 1914. No. 7308

STATE OF IDAHO, \$200.00.

County of Clearwater,

To the Treasurer of said County.

Pay to the order of M. G. Nease

The sum of Two Hundred Dollars

Out of current exp. fund not otherwise appropriated

For cruising

By authority of Board of Co. Commissioners

By O. H. Holmberg,

Deputy.

(County Seal)

Joseph Kauffman,

Series of

County Auditor.

1914

Written along the side: "Not good if drawn for more than \$200.00."

Check Protector: "Not over two hundred \$200."

(Reverse Side)

This reserved for Treasurer.

Presented for payment but not paid for want of funds

Nov. 7, 1914.

Registered on Page 39.

Blair E. Hoar,

County Treasurer.

Date Int. Ceases.....

Face .....

Interest .....

Total Paid .....

Endorse Below.

M. G. Nease.

COPY of first warrant in plaintiff's Exhibit No. 2,  
the original exhibit being transmitted herewith.

Orofino, Idaho, Dec. 8, 1914.     No. 7543.

STATE OF IDAHO,     \$200.00.

County of Clearwater,

To the Treasurer of said County.

Pay to the order of M. G. Nease

The sum of Two Hundred Dollars

Out of the Current Exp. Fund not otherwise ap-  
propriated

For cruising as per contract

By authority of Board Co. Commissioners.

By O. H. Holmberg,

Deputy.

(County Seal)

Joseph Kauffman,

Series of

County Auditor.

1914

Along side:     Not good if drawn for more than  
\$200.00.

(Reverse Side)

This reserved for Treasurer.

Presented for payment but not paid for want of  
funds

Dec. 8, 1914.

Registered on page 43.

Blair E. Hoar,

County Treasurer.

Date Int. Ceases.....

Face .....

Interest .....

Total Paid .....

Endorse Below.

M. G. Nease.



COPY of last warrant in plaintiff's Exhibit No. 2,  
the original exhibit being transmitted herewith.

Orofino, Idaho, Dec. 8, 1914. No. 7713.

STATE OF IDAHO, \$114.90.

County of Clearwater,

To the Treasurer of said County.

Pay to the order of M. G. Nease

The sum of One Hundred Fourteen and 90/100  
Dollars

Out of the current exp. fund not otherwise appro-  
priated

For cruising timber

By authority of Board Co. Commissioners.

By O. H. Holmberg,

Deputy.

(County Seal)

Joseph Kauffman,

Series of

County Auditor.

1914

Along side: Not good if drawn for more than  
\$200.00.

Check protector: Not Over One Hundred Twenty  
\$120.

(Reverse Side)

This reserved for Treasurer.

Presented for payment but not paid for want of  
funds

Dec. 8, 1914.

Registered on Page 46.

Blair E. Hoar,

County Treasurer.

Date Int. Ceases.....

Face .....

Interest .....

Total Paid .....

Endorse Below.

M. G. Nease.



## DEFENDANT'S EXHIBIT NO. 4.

Sec. 27, Twp. 35 N., R. 5 E. B. M.												
Sub-div.	Name	W.P.	Y.P.	B.P.	W.F.	R.F.	Tam.	Spr.	Ced.	Total	Poles	Ties
SW NW	Nease	0	60	0	80	60	60	0	80	340	12000	0
	Wherry	60	270	0	275	60	...	0	95	955	28000	..
	Swanson	20	300	0	180	...	195	0	..	850	.....	0
NW SW	Nease	0	80	0	60	70	20	0	0	230	15000	0
	Wherry	50	390	0	130	150	...	0	95	850	18000	..
	Swanson	50	410	0	220	...	35	0	..	960	.....	1850
Sec. 34, Twp. 35 N., R. 5 E. B. M.												
Sub-div.	Name	W.P.	Y.P.	B.P.	W.F.	R.F.	Tam.	Spr.	Ced.	Total	Poles	Ties
NE NE	Nease	0	0	0	0	0	0	0	0	0	0	0
	Wherry	15	0	220	70	135	...	0	0	545	7500	...
	Swanson	10	0	210	120	...	105	0	0	580	.....	800
NW NE	Nease	0	0	0	0	0	0	0	0	0	0	0
	Wherry	0	10	120	65	60	...	0	0	315	7000	...
	Swanson	0	10	140	65	...	60	0	0	335	.....	1600

SW NE	Nease	0	0	0	0	0	0	0	0	0	0	0
	Wherry	0	0	195	50	80	...	0	0	0	445	4000
	Swanson	0	0	265	70	...	120	0	0	0	535	2200
SE NE	Nease	0	0	0	0	0	0	0	0	0	0	0
	Wherry	15	0	165	50	155	...	0	0	0	435	7500
	Swanson	15	0	155	70	...	50	0	0	0	445	1480
NW SE	Nease	0	0	0	0	0	0	0	0	0	0	0
	Wherry	10	0	110	60	140	...	0	0	0	330	7000
	Swanson	5	0	140	90	...	10	0	0	0	385	1320
SW SE	Nease	0	0	0	0	0	0	0	0	0	0	0
	Wherry	0	0	45	30	50	...	0	0	0	205	3000
	Swanson	0	0	40	40	...	80	0	0	0	210	2920
SE SE	Nease	0	0	0	0	0	0	0	0	0	0	0
	Wherry	15	10	20	30	85	...	0	0	0	210	4000
	Swanson	20	10	20	25	...	50	0	0	0	210	880

## Sec. 13, Twp. 37 N., R. 5 E. B. M.

Sub-div.	Name	W.P.	Y.P.	B.P.	W.F.	R.F.	Tam.	Spr.	Ced.	Total	Poles	Ties
NE SW	Nease	100	0	0	30	50	0	0	225	405	10000	0
	Wherry	375	10	0	90	185	...	0	140	885	9000	...
	Swanson	370	10	0	95	...	85	0	...	865	...	490
NW SW	Nease	0	0	0	0	0	0	0	0	0	0	0
	Wherry	35	30	10	40	130	...	0	25	340	7000	...
	Swanson	40	30	5	40	...	70	5	...	345	...	1400
SW SW	Nease	0	0	0	0	0	0	0	0	0	0	0
	Wherry	40	140	25	50	255	...	0	85	615	15000	...
	Swanson	45	140	20	35	...	20	0	...	600	...	3540
SE SW	Nease	115	0	0	25	115	0	0	110	365	5000	0
	Wherry	310	40	0	70	50	...	0	155	215	4000	...
	Swanson	295	40	0	50	...	90	0	...	680	...	840
NE SE	Nease	40	0	0	100	125	0	0	100	365	0	0
	Wherry	15	15	60	10	60	...	0	110	275	6000	...
	Swanson	10	15	55	10	...	5	0	...	260	...	600

NW SE	Nease	150	0	0	100	100	0	0	100	450	10000	0
	Wherry	130	50	0	50	280	...	0	95	640	15000	...
	Swanson	120	45	0	70	...	35	0	...	640	...	900
SW SE	Nease	250	75	0	125	165	75	0	75	765	12000	0
	Wherry	210	70	25	105	180	...	0	210	960	20000	...
	Swanson	185	70	20	115	...	160	0	...	940	...	1080
SE SE	Nease	175	50	0	100	250	40	0	125	740	10000	0
	Wherry	220	40	50	110	250	...	0	90	830	15000	...
	Swanson	210	30	40	140	...	70	0	...	830	...	2050
Sec. 24, Twp. 37 N., R. 5 E. B. M.												
Sub-div.	Name	W.P.	Y.P.	B.P.	W.F.	R.F.	Tam.	Spr.	Ced.	Total	Poles	Ties
NE NE	Nease	225	0	0	130	250	0	0	100	705	10000	0
	Wherry	685	25	20	320	550	...	0	120	1720	18000	...
	Swanson	640	20	20	275	...	0	0	...	1625	...	4320

NW NE	Nease	0	50	0	75	150	0	0	75	350	5000	0
	Wherry	30	120	35	130	155	...	0	0	560	7000	...
	Swanson	30	115	35	130	...	90	0	0	555	.....	1440
SW NE	Nease	100	0	0	25	50	0	0	0	175	0	0
	Wherry	150	15	0	0	35	...	0	35	250	6000	...
	Swanson	145	15	0	0	...	15	0	...	220	.....	640
SE NE	Nease	600	0	0	75	100	0	0	275	1050	12000	0
	Wherry	785	0	0	70	180	...	0	190	1225	30000	...
	Swanson	725	0	0	65	...	0	0	...	1160	.....	360
NE NW	Nease	50	75	0	100	100	0	0	50	375	1000	0
	Wherry	155	110	10	0	70	...	0	60	460	9000	...
	Swanson	160	115	10	0	...	55	0	...	470	.....	2300
NW NW	Nease	50	50	0	0	50	40	0	0	190	0	0
	Wherry	105	65	35	0	110	...	0	20	370	3000	...
	Swanson	90	55	20	0	...	35	0	...	330	.....	2280

SW NW	Nease	100	0	0	0	0	70	0	0	0	175	0	0
	Wherry	70	0	0	25	40	...	0	0	0	135	0	...
	Swanson	80	0	0	25	...	...	0	0	...	145	...	700
SE NW	Nease	50	0	0	50	100	0	0	0	0	200	0	0
	Wherry	125	40	0	0	40	...	0	0	0	240	4000	...
	Swanson	125	35	0	0	...	55	0	...	...	235	...	0
NE SW	Nease	150	0	0	40	75	150	0	100	515	15000	0	0
	Wherry	135	0	0	0	95	...	0	0	425	10000	...	...
	Swanson	130	0	0	0	...	195	0	...	420	...	3400	...
NW SW	Nease	150	0	0	50	75	50	0	50	375	4000	0	0
	Wherry	55	0	0	60	45	0	0	0	160	3000	...	...
	Swanson	55	0	0	70	...	0	0	...	170	...	4680	...
SW SW	Nease	350	0	0	50	125	125	0	0	650	10000	0	0
	Wherry	520	0	0	0	95	...	0	25	760	15000	...	...
	Swanson	505	0	0	0	...	120	0	...	745	...	4200	...

SE SW	Nease	200	0	0	0	40	250	0	50	540	15000	0
	Wherry	465	0	0	40	130	...	0	0	935	20000	...
	Swanson	485	0	0	60	...	290	0	...	965	...	6160
NE SE	Nease	250	0	0	25	100	0	0	125	500	12000	0
	Wherry	430	10	0	50	130	...	0	200	845	0	0
	Swanson	415	10	0	60	...	25	0	...	830	...	1680
NW SE	Nease	300	0	0	0	75	0	0	75	450	3000	0
	Wherry	560	0	0	30	45	...	0	35	670	10000	...
	Swanson	565	0	0	40	...	0	0	...	685	...	1700
SW SE	Nease	300	0	0	50	75	50	0	150	625	10000	0
	Wherry	540	0	0	60	100	...	0	60	760	8000	...
	Swanson	530	0	0	70	...	0	0	...	760	...	1500
SE SE	Nease	350	0	0	100	75	0	0	50	575	5000	0
	Wherry	710	0	0	155	190	...	5	70	1130	16000	...
	Swanson	730	0	0	155	...	35	5	...	1185	...	900



Sec. 25, Twp. 37 N., R. 5 E. B. M.

Sub-div.	Name	W.P.	Y.P.	B.P.	W.F.	R.F.	Tam.	Spr.	Ced.	Total	Poles	Ties
NE NE	Nease	500	0	0	225	80	20	0	50	875	1000	0
	Wherry	865	0	0	125	115	...	0	40	1145	4000	...
	Swanson	880	0	0	130	...	0	0	...	1165	.....	0
NW NE	Nease	600	0	0	150	50	40	0	75	915	0	0
	Wherry	1155	0	0	110	70	...	0	10	1345	2000	...
	Swanson	1115	0	0	110	...	0	0	...	1305	.....	0
SW NE	Nease	500	0	0	100	50	75	0	0	725	0	0
	Wherry	600	0	0	155	35	...	0	0	805	4000	...
	Swanson	545	0	0	130	...	15	0	...	725	.....	300
SE NE	Nease	700	0	0	125	100	40	30	20	1015	1000	0
	Wherry	780	0	0	195	235	...	10	0	1275	8000	...
	Swanson	760	0	0	220	...	55	5	...	1275	.....	350
NE NW	Nease	250	0	0	50	40	75	0	300	715	0	0
	Wherry	175	0	0	70	165	...	5	75	540	4000	...
	Swanson	185	0	0	60	...	50	5	...	540	.....	770

NW NW	Nease	250	0	0	0	0	0	0	250	500	500	0
	Wherry	420	0	0	20	130	...	0	20	725	14000	...
	Swanson	455	0	0	20	...	135	0	...	760	....	5460
SW NW	Nease	300	0	0	75	75	100	0	0	550	12000	0
	Wherry	700	0	0	90	155	...	0	50	1095	22000	...
	Swanson	690	0	0	70	...	100	0	...	1065	....	4160
SE NW	Nease	600	0	0	150	75	0	0	0	825	0	0
	Wherry	540	0	0	170	70	...	0	15	835	6000	...
	Swanson	540	0	0	170	...	40	0	...	835	....	840
NE SW	Nease	350	0	0	40	40	0	0	0	430	0	0
	Wherry	505	0	0	15	15	...	0	0	535	0	...
	Swanson	520	0	0	15	...	0	0	...	550	....	480
NW SW	Nease	500	0	0	100	200	150	0	0	950	3000	0
	Wherry	615	0	0	130	90	...	0	0	835	4000	...
	Swanson	600	0	0	125	...	0	0	...	815	....	1740

NE SE	Nease	900	0	0	100	100	50	0	0	1150	0	0
	Wherry	1175	0	0	120	180	...	0	0	1520	4000	...
	Swanson	1120	0	0	130	...	45	0	...	1450	.....	820
NW SE	Nease	500	0	0	100	75	50	0	0	725	0	0
	Wherry	975	0	0	130	160	...	0	0	1340	5000	...
	Swanson	915	0	0	125	...	75	0	...	1275	.....	1080
SW SE	Nease	500	0	0	100	50	100	0	0	750	0	0
	Wherry	765	0	0	145	115	...	0	10	1060	4000	...
	Swanson	790	0	0	160	...	35	0	...	1110	.....	1050
SE SE	Nease	200	0	0	40	50	0	0	0	290	0	0
	Wherry	245	0	0	25	35	...	5	0	310	0	...
	Swanson	250	0	0	25	...	0	5	...	315	.....	560
Sec. 26, Twp. 37 N., R. 5 E. B. M.												
Sub-div.	Name	W.P.	Y.P.	B.P.	W.F.	R.F.	Tam.	Spr.	Ced.	Total	Poles	Ties
NE NE	Nease	450	0	0	50	75	150	0	50	775	10000	0
	Wherry	655	0	0	95	135	...	0	40	990	25000	...
	Swanson	650	0	0	110	...	65	0	..	1000	....	9600

NW NE	Nease	100	0	0	0	0	0	40	0	0	50	190	0	0
	Wherry	280	0	0	30	35	...	...	10	310	665	0	..	..
	Swanson	250	0	0	30	...	0	0	0	..	625	.....	0	0
SE NE	Nease	250	0	0	0	100	100	0	0	0	450	10000	0	0
	Wherry	580	0	0	35	115	...	0	0	0	840	45000	..	..
	Swanson	610	0	0	15	..	110	0	..	..	850	.....	8750	8750
NW NW	Nease	150	0	0	100	100	50	0	0	150	550	5000	0	0
	Wherry	570	10	0	205	210	...	0	0	390	1385	30000	..	..
	Swanson	550	10	0	190	..	0	0	0	..	1350	.....	1820	1820
SW NW	Nease	300	0	0	40	75	60	0	0	75	550	20000	0	0
	Wherry	625	0	0	175	95	...	0	0	50	1060	40000	..	..
	Swanson	635	0	0	90	..	115	0	..	..	985	.....	1900	1900
SE NW	Nease	200	0	0	0	30	40	0	0	50	320	5000	0	0
	Wherry	265	0	0	60	55	...	0	0	45	500	25000	..	..
	Swanson	250	0	0	20	..	75	0	..	..	445	.....	2940	2940

NE SW	Nease	100	0	0	25	0	40	0	0	165	2000	0
	Wherry	490	0	0	55	20	..	0	0	600	15000	....
	Swanson	470	0	0	15	..	35	0	..	540	....	1020
NW SW	Nease	800	0	0	75	50	100	0	0	1025	5000	0
	Wherry	1485	0	0	65	20	...	0	0	1680	18000	....
	Swanson	1470	0	0	85	...	110	0	..	1665	....	7200
SW SW	Nease	750	0	0	50	150	0	0	0	950	1000	0
	Wherry	1380	0	0	200	110	...	0	0	1775	7000	....
	Swanson	1350	0	0	190	...	55	0	..	1735	....	0
SE SW	Nease	150	0	0	0	0	50	0	0	200	1000	0
	Wherry	965	0	0	15	15	...	0	0	1000	5000	....
	Swanson	975	0	0	10	..	5	0	..	1005	....	220
NE SE	Nease	250	0	0	125	250	150	0	0	775	5000	0
	Wherry	495	0	0	80	175	...	0	0	810	15000	....
	Swanson	475	0	0	75	..	60	0	..	785	....	5810

NW SE	Nease	50	0	0	0	50	100	0	0	200	0	0
	Wherry	320	0	0	0	40	...	0	15	375	0	....
	Swanson	310	0	0	0	..	0	0	..	365	..	4690
SW SE	Nease	200	0	0	50	60	150	0	0	460	2000	0
	Wherry	435	0	0	25	80	...	0	0	730	0	....
	Swanson	450	0	0	25	..	190	0	..	745	..	7400
SE SE	Nease	300	0	0	0	100	75	0	0	475	0	0
	Wherry	720	0	0	75	45	...	0	0	945	0	....
	Swanson	705	0	0	75	..	105	0	..	930	..	600
Sec. 33, Twp. 37 N., R. 5 E. B. M.												
Sub-div.	Name	W.P.	Y.P.	B.P.	W.F.	R.F.	Tam.	Spr.	Ced.	Total	Poles	Ties
SE SW	Nease	25	0	0	0	0	50	0	0	75	0	0
	Wherry	60	0	0	30	0	...	0	0	90	0	...
	Swanson	70	0	0	35	...	40	0	...	145	.....	3440
SW SE	Nease	40	0	0	0	25	25	0	0	90	0	0
	Wherry	35	0	0	15	0	...	0	0	60	0	...
	Swanson	20	0	0	10	...	10	0	...	40	.....	1200



Sec. 34, Twp. 37 N., R. 5 E. B. M.

Sub-div.	Name	W.P.	Y.P.	B.P.	W.F.	R.F.	Tam.	Spr.	Ced.	Total	Poles	Ties
NE NW	Nease	250	0	0	0	25	50	0	0	325	0	0
	Wherry	525	0	0	0	55	...	50	0	640	0	...
	Swanson	555	0	0	0	...	10	25	...	645	.....	1000
NW NW	Nease	0	0	0	0	0	0	0	0	0	0	0
	Wherry	370	0	0	10	45	...	20	60	505	0	...
	Swanson	380	0	0	10	...	0	30	...	525	.....	1600

Sec. 35, Twp. 37 N., R. 5 E. B. M.

Sub-div.	Name	W.P.	Y.P.	B.P.	W.F.	R.F.	Tam.	Spr.	Ced.	Total	Poles	Ties
NE NW	Nease	200	0	0	0	0	0	0	0	200	0	0
	Wherry	150	0	0	0	10	...	0	0	160	0	...
	Swanson	150	0	0	0	...	0	0	...	160	.....	360
NW NW	Nease	500	0	0	0	50	50	0	0	600	0	0
	Wherry	1330	0	0	0	90	...	0	0	1475	0	...
	Swanson	1350	0	0	0	...	55	0	...	1495	.....	300

SW NW	Nease	250	0	0	25	25	20	0	0	320	3000	0
	Wherry	1300	0	0	0	60	...	0	10	1485	3000	...
	Swanson	1250	0	0	0	...	115	0	...	1435	.....	280
NW SW	Nease	50	0	0	0	0	0	0	0	50	0	0
	Wherry	400	0	0	40	45	...	0	0	650	2000	...
	Swanson	400	0	0	50	...	165	0	...	660	.....	420
SW SW	Nease	0	0	0	0	0	0	0	0	0	0	0
	Wherry	210	0	0	0	35	...	0	0	245	0	...
	Swanson	235	0	0	0	...	0	0	...	270	.....	1080
Sec. 2, Twp. 39 N., R. 5 E. B. M.												
Sub-div.	Name	W.P.	Y.P.	B.P.	W.F.	R.F.	Tam.	Spr.	Ced.	Total	Poles	Ties
NE SW	Nease	0	0	0	0	0	0	0	0	0	0	0
	Wherry	130	0	0	0	0	0	0	0	135	0	...
	Swanson	150	0	0	0	...	5	0	...	155	.....	0
SE SW	Nease	160	0	0	50	0	0	0	0	210	0	0
	Wherry	610	0	0	0	10	...	0	0	620	0	...
	Swanson	670	0	0	0	...	0	0	...	680	.....	0

NE SE	Nease	50	0	0	0	0	0	0	0	50	0	0
	Wherry	185	0	0	20	15	...	0	0	230	0	...
	Swanson	210	0	0	10	...	10	0	...	245	.....	0
NW SE	Nease	75	0	0	0	0	0	0	0	75	0	0
	Wherry	220	5	0	0	25	...	0	0	245	0	...
	Swanson	225	5	0	0	...	0	0	...	255	.....	0
SW SE	Nease	100	0	0	50	0	0	0	0	150	0	0
	Wherry	880	0	0	60	15	...	0	0	955	0	...
	Swanson	900	0	0	50	...	0	0	...	965	.....	0
SE SE	Nease	150	0	0	50	0	0	0	0	200	0	0
	Wherry	465	0	0	0	0	...	0	0	465	0	...
	Swanson	490	0	0	0	...	0	0	...	490	.....	0
Sec. 11, Twp. 39 N., R. 5 E. B. M.												
Sub-div.	Name	W.P.	Y.P.	B.P.	W.F.	R.F.	Tam.	Spr.	Ced.	Total	Poles	Ties
NE NE	Nease	250	0	0	150	0	0	0	0	400	0	0
	Wherry	840	0	0	40	0	...	0	0	890	0	...
	Swanson	890	0	0	30	...	10	0	...	930	.....	0

NW NE	Nease	120	0	0	25	0	0	0	0	145	0	0
	Wherry	340	0	0	30	5	...	0	0	375	0	...
	Swanson	380	0	0	30	...	0	0	...	415	...	0
SW NE	Nease	100	0	0	0	0	0	0	0	100	0	0
	Wherry	330	0	0	0	0	...	0	0	330	0	...
	Swanson	350	0	0	0	...	0	0	...	350	...	0
SE NE	Nease	480	0	0	200	0	0	0	0	680	0	0
	Wherry	595	0	0	50	20	...	0	0	665	0	...
	Swanson	645	0	0	50	...	0	0	...	710	...	0
NE NW	Nease	300	0	0	50	0	0	0	0	350	0	0
	Wherry	625	0	0	0	5	...	0	5	650	0	...
	Swanson	650	0	0	0	...	15	0	...	675	...	0
SE NW	Nease	240	0	0	100	0	0	0	0	340	0	0
	Wherry	465	0	0	0	20	...	0	0	485	0	...
	Swanson	510	0	0	0	...	0	0	...	530	...	0

NE SW	Nease	400	0	0	100	0	0	0	0	500	0	0
	Wherry	305	0	0	10	0	...	0	0	315	0	...
	Swanson	345	0	0	0	...	0	0	...	355	...	0
Sec. 11, Twp. 39 N., R. 5 E. B. M.												
Sub-div.	Name	W.P.	Y.P.	B.P.	W.F.	R.F.	Tam.	Spr.	Ced.	Total	Poles	Ties
SE SW	Nease	720	0	0	200	0	0	0	0	920	0	0
	Wherry	690	0	0	35	0	...	0	5	730	0	...
	Swanson	730	0	0	35	...	0	0	...	770	...	0
NE SE	Nease	500	0	0	200	0	0	0	0	700	0	0
	Wherry	750	0	0	40	0	...	0	0	790	0	...
	Swanson	775	0	0	40	...	0	0	...	815	...	0
NW SE	Nease	560	0	0	150	0	0	0	0	710	0	0
	Wherry	600	0	0	10	0	...	0	0	610	0	...
	Swanson	600	0	0	10	...	0	0	...	610	...	0
SW SE	Nease	550	0	0	250	0	0	0	0	800	0	0
	Wherry	520	0	0	0	5	...	0	5	535	0	...
	Swanson	525	0	0	0	...	5	0	...	540	...	0

SE SE	Nease	500	0	0	150	0	0	0	0	650	0	0
	Wherry	675	0	0	15	0	...	5	25	720	1000	...
	Swanson	710	0	0	15	...	0	5	...	755	.....	0
Sec. 12, Twp. 39 N., R. 5 E. B. M.												
Sub-div.	Name	W.P.	Y.P.	B.P.	W.F.	R.F.	Tam.	Spr.	Ced.	Total	Poles	Ties
NE NW	Nease	500	0	0	150	0	0	0	0	650	0	0
	Wherry	605	0	0	0	0	...	0	0	605	0	...
	Swanson	620	0	0	0	...	0	0	...	620	.....	0
NW NW	Nease	800	0	0	200	0	0	0	0	1000	0	0
	Wherry	600	0	0	0	10	0	0	10	620	0	...
	Swanson	650	0	0	0	...	0	0	...	660	.....	0
SW NW	Nease	160	0	0	160	0	0	0	0	320	0	0
	Wherry	720	0	0	50	40	...	0	0	810	0	...
	Swanson	660	0	0	50	...	0	0	...	750	.....	0
SE NW	Nease	160	0	0	100	0	0	0	0	260	0	0
	Wherry	765	0	0	30	0	...	0	0	795	3000	...
	Swanson	790	0	0	30	...	0	0	...	820	.....	0



NE SW	Nease	300	0	0	150	0	0	0	0	450	0	0
	Wherry	650	0	0	25	0	...	10	15	700	1000	...
	Swanson	660	0	0	25	...	0	10	...	710	...	0
NW SW	Nease	450	0	0	160	0	0	0	0	610	0	0
	Wherry	500	0	0	35	0	...	0	15	550	0	...
	Swanson	495	0	0	35	...	0	0	...	545	...	0
SW SW	Nease	450	0	0	50	0	0	0	0	500	0	0
	Wherry	550	0	0	0	5	...	0	0	555	0	...
	Swanson	625	0	0	0	...	0	0	...	625	...	0
SE SW	Nease	200	0	0	50	0	0	0	0	250	0	0
	Wherry	670	0	0	40	15	...	0	20	745	2000	...
	Swanson	680	0	0	20	...	0	0	...	735	...	0
Sec. 14, Twp. 39 N., R. 5 E. B. M.												
Sub-div.	Name	W.P.	Y.P.	B.P.	W.F.	R.F.	Tam.	Spr.	Ced.	Total	Poles	Ties
NE NE	Nease	200	0	0	50	0	0	0	0	250	0	0
	Wherry	625	0	0	15	0	...	10	0	650	0	...
	Swanson	700	0	0	15	...	0	10	...	725	...	0

Sub-div.	Name	Sec. 24, Twp. 39 N., R. 5 E. B. M.										
		W.P.	Y.P.	B.P.	W.F.	R.F.	Tam.	Spr.	Ced.	Total	Poles	Ties
SE NE	Nease	400	0	0	200	0	0	0	0	600	0	0
	Wherry	590	0	0	0	0	...	5	5	600	0	...
	Swanson	645	0	0	0	...	0	5	...	655	...	0
NE SE	Nease	450	0	0	100	0	0	0	0	550	0	0
	Wherry	770	0	0	0	0	...	0	0	770	0	...
	Swanson	820	0	0	0	...	0	0	...	820	...	0
NE NE	Nease	0	0	0	0	0	0	0	0	0	0	0
	Wherry	365	0	0	0	0	...	0	10	375	0	...
	Swanson	335	0	0	0	...	5	...	...	340	...	0
NW NE	Nease	0	0	0	0	0	0	0	0	0	0	0
	Wherry	25	0	0	0	10	...	0	0	35	0	...
	Swanson	25	0	0	0	...	10	0	...	35	...	0
SW NE	Nease	0	0	0	0	0	0	0	0	0	0	0
	Wherry	20	0	0	0	0	...	0	5	25	0	...
	Swanson	20	0	0	0	...	0	0	...	25	...	0

SE NE	Nease	0	0	0	0	0	0	0	0	0	0	0	0
	Wherry	280	0	0	0	...	0	5	285	0	...	...	0
	Swanson	270	0	0	0	...	0	...	275	.....	...	0	0
NW NW	Nease	5	0	0	20	0	0	0	25	0	0	0	0
	Wherry	20	0	0	10	15	...	0	45	0	...	...	0
	Swanson	25	0	0	0	...	0	...	25	.....	...	150	0
SW NW	Nease	25	0	0	35	0	0	0	60	0	0	0	0
	Wherry	5	0	0	0	0	...	0	15	0	...	...	0
	Swanson	10	0	0	0	...	10	...	20	.....	...	0	0
NW SW	Nease	0	0	0	0	0	0	0	0	0	0	0	0
	Wherry	10	10	0	0	0	...	0	20	0	...	...	0
	Swanson	10	5	0	0	...	0	...	15	.....	...	0	0
SW SW	Nease	0	0	0	0	0	0	0	0	0	0	0	0
	Wherry	0	10	0	0	0	...	0	10	0	...	...	0
	Swanson	0	5	0	0	...	0	...	5	.....	...	0	0

NE SE	Nease	0	0	0	0	0	0	0	0	0	0	0	0
	Wherry	185	0	0	0	0	...	0	15	200	1000	...	...
	Swanson	175	0	0	0	...	0	0	...	190	...	0	0
NW SE	Nease	0	0	0	0	0	0	0	0	0	0	0	0
	Wherry	25	0	0	0	5	...	0	0	35	0	...	...
	Swanson	25	0	0	0	...	5	0	...	35	...	0	0
SW SE	Nease	0	0	0	0	0	0	0	0	0	0	0	0
	Wherry	60	0	0	0	15	...	0	0	85	0	...	...
	Swanson	60	0	0	0	...	10	0	...	85	...	0	0
SE SE	Nease	0	0	0	0	0	0	0	0	0	0	0	0
	Wherry	70	0	0	0	0	...	0	5	75	0	...	...
	Swanson	50	0	0	0	...	0	0	...	55	...	0	0
Sec. 25, Twp. 39 N., R. 5 E., B. M.													
Sub-div.	Name	W.P.	Y.P.	B.P.	W.F.	R.F.	Tam.	Spr.	Ced.	Total	Poles	Ties	
NE NE	Nease	0	0	0	0	0	0	0	0	0	0	0	0
	Wherry	50	0	0	0	10	...	0	10	75	0	...	...
	Swanson	75	0	0	0	...	5	0	...	100	...	0	0

NW NE	Nease	0	0	0	0	0	0	0	0	0	0	0	0
	Wherry	50	0	0	0	...	0	0	5	55	0	...	0
	Swanson	50	0	0	0	..	0	0	..	55	.....	0	0
SW NE	Nease	0	0	0	0	0	0	0	0	0	0	0	0
	Wherry	40	0	0	15	15	..	0	0	70	0	...	0
	Swanson	40	0	0	15	..	0	0	..	70	.....	0	0
SE NE	Nease	0	0	0	0	0	0	0	0	0	0	0	0
	Wherry	410	0	0	40	20	..	25	15	540	0	...	0
	Swanson	405	0	0	40	..	30	25	..	535	.....	0	0
NW NW	Nease	0	0	0	0	0	0	0	0	0	0	0	0
	Wherry	0	0	0	0	0	..	0	0	25	0	0	0
	Swanson	0	5	0	0	..	25	0	0	30	0	100	0
SW NW	Nease	0	0	0	0	0	0	0	0	0	0	0	0
	Wherry	15	0	0	0	0	..	0	0	15	0	...	0
	Swanson	15	0	0	0	..	0	0	..	15	.....	0	0

NW SW	Nease	0	0	0	0	0	0	0	0	0	0	0	0	0
	Wherry	20	0	0	0	5	..	0	0	0	25	0	..	0
	Swanson	20	0	0	0	..	0	0	0	..	25	.....	0	0
SW SW	Nease	0	0	0	0	0	0	0	0	0	0	0	0	0
	Wherry	20	0	0	0	0	..	0	0	0	20	0	..	0
	Swanson	20	0	0	0	..	0	0	0	..	20	.....	0	0
NE SE	Nease	0	0	0	0	0	0	0	0	0	0	0	0	0
	Wherry	195	0	0	20	30	..	0	0	60	320	3500	..	0
	Swanson	180	0	0	20	..	15	0	0	..	305	.....	0	0
NW SE	Nease	0	0	0	0	0	0	0	0	0	0	0	0	0
	Wherry	20	0	0	0	0	..	0	0	5	35	0	..	0
	Swanson	20	0	0	0	..	10	0	0	..	35	.....	0	0
SW SE	Nease	0	0	0	0	0	0	0	0	0	0	0	0	0
	Wherry	0	0	0	0	0	...	0	0	0	0	0	..	0
	Swanson	0	0	0	0	..	0	0	0	...	0	.....	0	0





State of Idaho,  
County of Clearwater,—ss.

I, A. E. Hinckley, the duly elected, qualified and acting Assessor of Clearwater County aforesaid, DO HEREBY CERTIFY: That the figures shown opposite the name "Nease" on the within and foregoing tabulations are a full, true and correct copy and transcript of the timber estimates on file in my office and that said figures show the number of thousand feet of each of the several varieties of timber indicated at the heading of each column, respectively, on each forty acre subdivision indicated at the left of said figures, as the same appear on the original reports and estimates made by M. G. Nease, and on file and of record in my office as aforesaid.

Witness my hand this 6th day of May, 1916.

(Signature waived.)

Assessor of Clearwater County, Idaho.

State of Idaho,  
County of Clearwater,—ss.

I, Roy Wherry, DO HEREBY CERTIFY: That I have carefully compared the figures shown on the within and foregoing statement with my original field books and data showing the results of my examination and estimate of the timber on the lands described by forty acre subdivisions at the left of such figures, and that the figures shown on the within and foregoing tabulation opposite my name correctly show the number of thousand feet of each kind of timber indicated by the respective column headings

as estimated by me on each of such subdivisions, respectively.

Witness my hand this 6th day of May, 1916.

ROY WHERRY.

State of Idaho,

County of Clearwater,—ss.

I, John Swanson, DO HEREBY CERTIFY: That I have carefully compared the figures shown on the within and foregoing statement with my original field books and data showing the results of my examination and estimate of the timber on the lands described by forty acre subdivisions at the left of such figures, and that the figures shown on the within and foregoing tabulation opposite my name correctly show the number of thousand feet of each kind of timber indicated by the respective column headings as estimated by me on each of such subdivisions, respectively.

Witness my hand this 6th day of May, 1916.

JOHN SWANSON.

Defendant's Exhibit No. 4.

Filed May 9, 1916.

W. D. McReynolds, Clerk.

DEFENDANT'S EXHIBIT NO. 5.

Sec. 25, Twp. 37 N., R. 5 E., B. M.

Sub-div.	Name	W.P.	Y.P.	B.P.	W.F.	R.F.	Tam.	Spr.	Ced.	Total	Poles	Ties
SW SW	Nease	200	0	0	0	50	0	0	0	250	0	0
	Wherry	260	0	0	30	20	15	0	0	325	0	500
SE SW	Nease	200	0	0	100	50	0	0	0	350	0	0
	Wherry	225	0	0	35	20	0	0	0	280	3500	400

Sec. 35, Twp. 37 N., R. 5 E., B. M.

Sub-div.	Name	W.P.	Y.P.	B.P.	W.F.	R.F.	Tam.	Spr.	Ced.	Total	Poles	Ties
NW NE	Nease	150	0	0	0	0	50	0	0	200	0	0
	Wherry	290	0	0	20	0	30	0	0	340	2500	700
SW NE	Nease	0	0	0	0	0	0	0	0	0	0	0
	Wherry	100	0	0	20	15	20	0	0	155	0	600
SE NE	Nease	150	0	0	0	40	150	0	0	340	0	0
	Wherry	520	0	0	20	55	145	0	0	740	5000	1600
SE NW	Nease	100	0	0	0	0	0	0	0	100	0	0
	Wherry	75	0	0	0	0	0	0	0	75	0	500

Sec. 2, Twp. 39 N., R. 5 E., B. M.							
Sub-div.	Name	W.P.	Y.P.	B.P.	W.F.	R.F.	Tam. Spr. Ced. Total Poles Ties
SW NW	Nease	140	0	0	50	0	0 0 190 0 0
	Wherry	340	0	0	0	15 20	0 0 375 0 0
NW SW	Nease	250	0	0	100	0	0 0 350 0 0
	Wherry	475	0	0	0	15 5	0 0 495 0 0
SW SW	Nease	600	0	0	100	0	0 0 700 0 0
	Wherry	670	0	0	40	15 5	0 0 730 0 0
Sec. 11, Twp. 39 N., R. 5 E., B. M.							
Sub-div.	Name	W.P.	Y.P.	B.P.	W.F.	R.F.	Tam. Spr. Ced. Total Poles Ties
NW NW	Nease	450	0	0	100	0	0 0 550 0 0
	Wherry	1075	0	0	45	15 5	0 0 1140 0 0
SW NW	Nease	300	0	0	50	0	0 0 350 0 0
	Wherry	1045	0	0	40	20 0	0 0 1105 0 0
NW SW	Nease	550	0	0	150	0	0 0 700 0 0
	Wherry	950	0	0	75	15 0	0 0 1040 0 0

SW SW	Nease Wherry	800 810	0 0	0 0	250 45	0 10	0 10	0 0	0 0	0 0	1050 875	0 0	0 0
Sec. 14, Twp. 39 N., R. 5 E., B. M.													
Sub-div.	Name	W.P.	Y.P.	B.P.	W.F.	R.F.	Tam.	Spr.	Ced.	Total	Poles	Ties	
NW NE	Nease Wherry	360 445	0 0	0 0	100 15	0 0	0 0	0 15	0 0	460 475	0 0	0 0	0 0
SW NE	Nease Wherry	500 850	0 0	0 0	150 45	0 20	0 0	0 10	0 5	650 930	0 0	0 0	0 0
NE NW	Nease Wherry	400 670	0 0	0 0	300 15	0 0	0 0	0 10	0 5	700 700	0 0	0 0	0 0
NW NW	Nease Wherry	800 650	0 0	0 0	325 50	0 5	0 0	0 0	0 5	1125 710	0 0	0 0	0 0
SW NW	Nease Wherry	700 760	0 0	0 0	225 75	0 20	0 0	0 0	0 10	925 865	0 0	0 0	0 0
SE NW	Nease Wherry	800 520	0 0	0 0	175 20	0 10	0 0	0 5	0 0	975 555	0 0	0 0	0 0

NE SW	Nease Wherry	350	0	0	75	0	0	0	0	0	425	4000	0
		470	0	0	50	10	0	0	0	0	530	0	0
NW SW	Nease Wherry	800	0	0	200	0	0	0	0	0	1000	6000	0
		680	0	0	50	10	15	0	10	765	0	0	0
SW SW	Nease Wherry	350	0	0	75	0	0	0	0	425	0	0	0
		340	0	0	0	30	5	0	5	380	0	0	0
SE SW	Nease Wherry	1200	0	0	100	0	0	0	0	1300	0	0	0
		675	0	0	40	20	5	5	10	755	0	0	0
NW SE	Nease Wherry	800	0	0	250	0	0	0	0	1050	0	0	0
		1090	0	0	35	10	0	10	10	1155	0	0	0
SW SE	Nease Wherry	680	0	0	100	0	0	0	0	780	0	0	0
		580	0	0	40	0	0	5	0	625	0	0	0
SE SE	Nease Wherry	480	0	0	75	0	0	0	0	555	0	0	0
		325	0	0	20	5	0	0	0	350	0	0	0



Sec. 15, Twp. 39 N., R. 5 E., B. M.									
Sub-div.	Name	W.P.	Y.P.	B.P.	W.F.	R.F.	Tam.	Spr.	Ties
NE NE	Nease	300	0	0	175	0	0	0	0
	Wherry	480	0	0	45	10	0	0	0
NW NE	Nease	200	0	0	100	0	0	0	0
	Wherry	460	0	0	20	15	0	0	0
SW NE	Nease	100	0	0	50	0	0	0	0
	Wherry	240	0	0	15	5	5	0	0
SE NE	Nease	300	0	0	150	0	0	0	0
	Wherry	475	0	0	75	10	0	0	0
Sec. 24, Twp. 39 N., R. 5 E., B. M.									
Sub-div.	Name	W.P.	Y.P.	B.P.	W.F.	R.F.	Tam.	Spr.	Ties
NE NW	Nease	0	0	0	0	0	0	0	0
	Wherry	45	0	0	0	0	15	0	0
SE NW	Nease	0	0	0	0	0	0	0	0
	Wherry	5	0	0	0	0	0	0	0

NE SW	Nease Wherry	0 35	0 0	0 0	0 0	0 0	0 0	0 0	0 35	0 0
SE SW	Nease Wherry	0 25	0 5	0 0	0 0	0 0	0 0	0 0	0 30	0 120
Sec. 25, Twp. 39 N., R. 5 E., B. M.										
Sub-div.	Name	W.P.	Y.P.	B.P.	W.F.	R.F.	Tam.	Spr.	Ced.	Total Poles Ties
NE NW	Nease Wherry	0 150	0 0	0 0	0 0	0 0	0 40	0 0	0 0	0 190 0 500
SE NW	Nease Wherry	0 200	0 0	0 0	0 0	0 0	0 25	0 0	0 0	0 225 0 500
NE SW	Nease Wherry	0 160	0 0	0 0	0 0	0 0	0 10	0 0	0 0	0 170 0 250
SE SW	Nease Wherry	0 90	0 0	0 0	0 0	0 0	0 10	0 0	0 0	0 100 0 250

State of Idaho,  
County of Clearwater,—ss.

I, A. E. Hinckley, the duly elected, qualified and acting Assessor of Clearwater County aforesaid, DO HEREBY CERTIFY: That the figures shown opposite the name "Nease" on the within and foregoing tabulations are a full, true and correct copy and transcript of the timber estimates on file in my office and that said figures show the number of thousand feet of each of the several varieties of timber indicated at the heading of each column, respectively, on each forty acre subdivision indicated at the left of said figures, as the same appear on the original reports and estimates made by M. G. Nease, and on file and of record in my office as aforesaid.

Witness my hand this 6th day of May, 1916.

(Signature waived.)

Assessor of Clearwater County, Idaho.

State of Idaho,  
County of Clearwater,—ss.

I, Roy Wherry, DO HEREBY CERTIFY: That I have carefully compared the figures shown on the within and foregoing statement with my original field books and data showing the results of my examination and estimate of the timber on the lands described by forty acre subdivisions at the left of such figures, and that the figures shown on the within and foregoing tabulation opposite my name correctly show the number of thousand feet of each kind of timber indicated by the respective column headings

as estimated by me on each of such subdivisions, respectively.

Witness my hand this 9th day of May, 1916.

ROY WHERRY.

Defendant's Exhibit No. 5.

Filed May 9th, 1916.

W. D. McReynolds, Clerk.

## DEFENDANT'S EXHIBIT NO. 18.

Sec. 18, Twp. 35 N., R. 5 E., B. M.

S. D.	Cruiser	W.P.	Y.P.	B.P.	W.F.	R.F.	Tam.	Spr.	Ced.	Total	Poles	Ties
NE NE	Nease	..	35	10	15	35	10	..	..	....	....	...
	Morrow	..	210	..	80	380	..	..	70	....	20	...
SE NE	Nease	..	20	10	20	30	10	..	..	....	....	...
	Morrow	..	320	..	..	170	..	..	..	....	....	...
NE SE	Nease	..	85	..	50	65	90	10	15	....	7	...
	Morrow	..	215	..	200	320	..	..	100	....	90	...
SW NE	Nease	20	85	..	120	85	25	25	..	....	5	...
	Morrow	..	50	..	70	230	..	..	..	....	70	...
NW NE	Nease	15	85	..	125	80	20	30	..	....	5	...
	Morrow	35	120	..	90	330	..	..	55	....	100	...
SW SE	Nease	..	25	..	120	90	100	30	20	....	5	...
	Morrow	..	140	..	100	180	..	..	10	....	20	...

NW SE	Nease	..	30	20	250	75	100	25	15	....	5	...
	Morrow	..	100	..	90	240	..	..	25	....	....	...
NE SW	Nease	..	80	45	35	125	50	20	..	....	4	...
	Morrow	20	65	..	110	300	..	..	..	....	....	...
SE SW	Nease	..	60	50	100	175	155	85	..	....	3	...
	Morrow	10	340	..	100	480	..	..	..	....	....	...
SW SW	Nease	..	225	70	75	230	75	15	..	....	7	...
	Morrow	..	210	..	..	70	..	..	..	....	....	...
SE NW	Nease	40	90	..	90	150	10	..	..	....	25	...
	Morrow	20	225	..	140	510	..	..	260	....	240	...
S. D.	Cruiser	Sec 14, Twp. 35 N., R. 4 E B M.										
		W.P.	Y.P.	B.P.	W.F.	R.F.	Tam.	Spr.	Ced.	Total	Poles	Ties
NE NE	Nease	..	85	45	300	85	..	..	..	....	....	...
	Morrow	..	235	..	240	680	..	..	..	....	....	...





NW SE	Nease Morrow	60 30	.. ..	.. ..	30 30	.. 35	.. ..	.. ..	.. ..	850 800
Sec. 26, Twp. 36 N., R. 4 E. B. M.										
NE NE	Nease Morrow	30 60	.. 85	.. ..	30 90	150 160	70 ..	.. ..	.. 15	5 55
NE SW	Nease Morrow	490 135	.. 30	.. ..	110 30	60 95	50 ..	.. ..	140 50	30 240
SE SW	Nease Morrow	150 480	50 60	.. ..	100 120	20 285	30 ..	10 ..	50 205	16 550
SW SW	Nease Morrow	140 30	20 10	.. ..	90 60	20 315	40 ..	.. ..	60 190	15 1010
NW SW	Nease Morrow	480 330	.. 40	.. ..	100 220	.. 215	30 ..	.. ..	200 65	21 350
SW NW	Nease Morrow	50 490	.. ..	.. ..	110 245	40 265	50 ..	.. 30	50 390	24 900

S. D.	Cruiser	Sec. 23, Twp. 36 N., R. 4 E. B. M.						Total	Poles	Ties
		W.P.	Y.P.	B.P.	W.F.	R.F.	Tam.			
SE SE	Nease	170	..	..	90	150	70	..	20	60
	Morrow	330	105	..	70	370	..	..	..	560
SW SE	Nease	110	..	..	120	150	50	10	20	20
	Morrow	340	10	..	115	640	..	..	95	600
SE SW	Nease	100	..	..	100	110	90	10	80	17
	Morrow	370	..	..	90	675	..	..	50	520
Sec. 24, Twp. 36 N., R. 4 E. B. M.										
NENE	Nease	70	..	..	90	100	40	..	120	8
	Morrow	180	55	..	..	370	..	..	..	210
SE NE	Nease	60	..	..	70	70	70	..	50	8
	Morrow	75	10	..	120	420	..	..	..	430
SW NE	Nease	220	..	..	100	110	120	..	120	5
	Morrow	580	..	..	140	480	..	..	500	110

NE SE	Nease Morrow	40	..	..	40	80	130	..	..	....	12	...
		50	..	..	60	480	..	..	..	....	310	...
SE SE	Nease Morrow	10	..	..	20	..	..	..	..	....	....	...
		20	..	..	20	30	..	..	..	....	....	...
NW SE	Nease Morrow	..	..	..	40	50	100	..	..	....	3	...
		320	..	..	120	470	..	..	670	....	300	...
NE SW	Nease Morrow	60	..	..	50	100	50	20	240	....	5	2500
		..	..	..	60	120	..	..	2490	....	220	...
SE NW	Nease Morrow	170	..	..	70	90	70	..	440	....	12	...
		600	..	..	140	360	..	..	1760	....	310	...
SW SE	Nease Morrow	10	..	..	20	..	..	..	..	....	....	...
		25	..	..	25	10	..	..	..	....	....	...
SE SW	Nease Morrow	40	..	..	20	40	10	..	70	....	2	...
		65	..	..	30	35	..	..	..	....	....	...

SW	SW	Nease Morrow	150 400	.. ..	.. ..	40 75	90 175	60 ..	.. ..	80 215	13 160	750 ...
S. D.	Cruiser	Sec. 27, Twp. 36 N., R. 4 E. B. M.										
		W.P.	Y.P.	B.P.	W.F.	R.F.	Tam.	Spr.	Ced.	Total	Poles	Ties.
SE	NE	Nease Morrow	130 615	.. ..	.. ..	80 250	30 230	40 ..	10 45	150 85	.... 250	500 ...
NE	SE	Nease Morrow	400 875	50 80	.. ..	120 190	30 90	40 ..	40 ..	.. 180	.... 480	... ...
SE	SE	Nease Morrow	140 170	50 ..	.. ..	120 125	30 135	40 ..	.. ..	.. 35	.... 20	... ...
SW	SE	Nease Morrow	150 185	.. 95	.. ..	180 170	180 95	30 ..	.. ..	.. 10	1 ....	... ...
NW	SE	Nease Morrow	800 800	.. 30	.. ..	50 95	180 100	.. ..	40 ..	.. 25	.... 230	... ...

SW NE	Nease Morrow	100	..	10	30	10	40	10	..	....	....	500
		55	..	..	80	175	..	..	..	....	....	...
NW NE	Nease Morrow	160	..	..	30	20	40	10	80	....	6	...
		225	..	..	25	250	..	..	..	....	....	...
NE NW	Nease Morrow	180	..	10	40	30	50	..	40	....	....	500
		215	5	..	40	90	..	..	15	....	70	...
SE NW	Nease Morrow	20	..	10	20	..	..	..	..	....	....	550
		175	..	..	25	20	..	..	..	....	....	...
Sec. 33, Twp. 36 N., R. 4 E. B. M.												
NE NE	Nease Morrow	70	..	..	20	30	..	..	..	....	....	700
		570	20	..	65	410	..	..	..	....	60	...
SE NE	Nease Morrow	60	..	..	10	130	170	10	..	....	....	1100
		620	25	..	90	560	..	..	..	....	60	...
NE SE	Nease Morrow	100	..	..	30	30	150	..	110	....	....	300
		110	115	..	120	415	..	..	..	....	....	...



NW NE	Nease Morrow	500 950	.. ..	140 180	40 340	.. ..	.. ..	30 ..	.... ....	6 ....	.. ..
NE NW	Nease Morrow	350 460	.. 20	80 130	40 210	.. ..	.. ..	10 ..	.... ....	1 ....	.. ..
SE NW	Nease Morrow	200 460	.. 20	40 ..	50 420	120 ..	.. ..	.. ..	.... ....	2 ....	.. ..
S. D.	Cruiser	Sec. 35, Twp. 36 N., R. 4 E. B. M.									
NE NE	Nease Morrow	.. 430	.. ..	.. 550	.. 210	.. ..	.. ..	.. 155	.... ....	.... 430	.. ..
SW NE	Nease Morrow	.. 5	.. ..	.. ..	.. 30	.. ..	.. ..	.. ..	.... ....	.... ....	250 ..
NW NE	Nease Morrow	.. ..	.. ..	.. ..	.. 20	.. ..	.. ..	.. ..	.... ....	.... ....	.. ..





Nease	70	..	..	70	80	80	80	..	30	...	10	...
NW NW Morrow	225	30	..	230	505	505	..	..	110	...	310	...

Defendant's Exhibit No. 18.

Filed May 10, 1916.

W. D. McREYNOLDS, Clerk.

*DEFENDANT'S EXHIBIT NO. 19.*

## A STATEMENT SHOWING

- (1) The number of acres which Nease charged for cruising in each township.  
 (2) The number of acres of patented lands estimated (showing timber).  
 (3) The number of acres of patented lands charged for but not estimated.  
 (4) The number of acres of unpatented lands (i. e. lands on which final certificate had not issued on January 1, 1915), estimated.  
 (5) The number of acres of unpatented lands charged for but not estimated.  
 (6) The number of acres charged for and shown by the Nease plats to be meadow, logged off, burned or brush lands.

Tp.	Rg.	Charged.	PATENTED.		UNPATENTED.		Platted as
			Estimated.	Not Estimated.	Estimated.	Not Estimated.	
38	1W	3840.00	3040.00	280.00	520.00	.00	1232.00
38	1E	8889.02	6701.52	535.85	1239.80	411.85	4688.39
39	1E	6687.86	6123.91	198.36	280.00	85.59	2843.95
40	1E	9690.96	8584.23	546.73	520.00	40.00	3050.16
41	1E	9672.09	9043.92	582.69	40.00	5.48	876.05

37	2E	6200.84	6131.01	40.00	29.79	.00	804.48
38	2E	11691.72	5949.36	2755.02	1156.94	1830.40	6244.20
39	2E	19178.82	12121.16	4414.04	1033.26	1610.33	8315.51
40	2E	21293.11	17654.56	2562.85	715.70	360.00	5096.20
41	2E	21782.73	20539.85	160.00	1002.88	80.00	2906.54
36	3E	10850.90	10370.90	40.00	440.00	.00	2729.55
37	3E	8800.00	7840.00	80.00	880.00	.00	1213.00
38	3E	20014.50	14702.85	54.38	5175.35	81.90	5366.59
39	3E	20594.98	19224.51	120.00	1210.47	40.00	1797.14
40	3E	21555.79	20234.24	160.00	1041.55	120.00	2020.58
41	3E	20976.61	19834.01	40.00	1062.60	40.00	2122.95
34	4E	3672.20	3637.28	.00	40.00	.00	464.50
35	4E	15211.69	12977.95	1793.74	440.00	.00	4561.66
36	4E	19780.15	17949.57	560.00	664.66	40.00	1232.00
37	4E	9892.28	9132.28	.00	680.00	80.00	1821.89
38	4E	12567.87	10815.64	239.00	1324.35	188.88	4305.04
39	4E	10892.70	10334.11	282.10	263.19	13.30	1151.10
40	4E	21928.23	20251.82	652.70	835.92	187.80	2784.59

34	5E	1439.51	1237.94	201.57	.00	.00	387.12
35	5E	10645.98	8325.98	1880.00	120.00	320.00	4077.22
36	5E	16357.14	14043.11	1488.16	608.10	217.83	5553.64
37	5E	20250.40	17523.00	280.00	1447.40	1000.00	3741.97
38	5E	14471.76	14024.49	.00	447.27	.00	1769.74
39	5E	16828.00	13912.57	2515.43	400.00	.00	4596.89
40	5E	15364.63	13244.65	1426.10	287.46	406.42	4575.58
41	5E	3196.00	2836.00	.00	320.00	40.00	255.95
37	6E	14713.92	13071.23	280.00	1162.69	200.00	3286.64
38	6E	15124.41	13963.50	800.91	280.00	80.00	2814.33
39	6E	23071.77	21792.94	1118.83	160.00	.00	4764.42
40	6E	18876.84	17981.30	658.28	237.26	.00	2400.94
37	7E	560.00	560.00	.00	.00	.00	112.00
38	7E	11227.50	9852.02	615.48	560.00	200.00	1666.95
39	7E	1323.96	1163.96	160.00	.00	.00	296.72
37	8E	4880.65	4240.13	560.57	79.95	.00	1460.94
(39)		503997.52	440967.50	28082.79	26706.59	7679.78	110289.12

NOTE: According to government surveys the amount "Charged" is 560.86 acres in excess of actual area claimed to have been cruised. Otherwise the sum of the 2d, 3d, 4th and 5th columns is equal to the first.

Filed May 10, 1916.

W. D. McREYNOLDS, Clerk.

*DEFENDANT'S EXHIBIT NO. 21.*

IN THE DISTRICT COURT OF THE SECOND  
JUDICIAL DISTRICT OF THE STATE OF  
IDAHO, IN AND FOR CLEARWATER  
COUNTY.

John Lewis, Plaintiff,

vs.

Frank Zelenka, Frank Harrison,  
Elmer O. Torgerson, as Commis-  
sioners of Clearwater County,  
Joseph Kauffman, as Clerk of the  
District Court and Ex-Officio Re-  
corder, Auditor and Clerk of Board  
of Commissioners of said County,  
Blair E. Hoar, as Treasurer of  
Clearwater County, M. G. Nease  
and Clearwater County,

Defendants.

No.....

COMPLAINT.

The plaintiff complainant of said defendants for  
cause of action alleges:

I.

That prior to the organization of Clearwater  
County, State of Idaho, the plaintiff was for many  
years a resident, a freeholder and a taxpayer of  
Nez Perce County, State of Idaho, residing and own-  
ing land during the said period within that portion  
of Nez Perce County which in 1911 became, by  
statute in such case then made and provided, Clear-



water County, and ever since then the plaintiff has continued to reside in said Clearwater County, and to be a freeholder and a taxpayer therein continuously until the present time.

## II.

That the plaintiff is the owner of, and a taxpayer upon three quarter sections of land in said Clearwater County, and town lots in Orofino, the County seat of said County.

## III.

That the defendants Frank Zelenka, Frank Harrison and Elmer O. Torgerson are, and for a year or two last past have been the duly elected, qualified and acting County Commissioners of said Clearwater County, and that the said Frank Zelenka is chairman of the Board of said County Commissioners of said Clearwater County; that the defendant Joseph Kauffman is and for over one year last past has been the duly elected, qualified and acting Clerk of the District Court in and for said Clearwater County, and Ex-Officio Auditor, Recorder and Clerk of the Board of County Commissioners of said Clearwater County; that the defendant Blair E. Hoar for a year or more last past has been the duly elected, qualified and acting County Treasurer of said Clearwater County; that the said Clearwater County is a municipal corporation, being a subdivision of the State of Idaho created such by Chapter 24 Laws of Idaho, 1911, pages 49 to 60, both inclusive, approved February 27th, 1911, and in force and effect from and after its passage and approval.

## IV.

That on the 16th day of February, 1914, there was entered upon the minutes of the Board of County Commissioners of said Clearwater County a document signed by the defendant Frank Zelenka as Commissioner, Second District, and by the defendant Elmer O. Torgerson as Commissioner Third District, dated February 16, 1914, and entitled, "Notice of call of special session of the Board of County Commissioners of Clearwater County, Idaho," a full, true and correct copy of which is annexed hereto and made a part hereof as fully as if set forth here in full; that on the 24th day of February, 1914, the Board of County Commissioners of said Clearwater County assumed to meet in special session and accept a proposal of the defendant M. G. Nease, and authorize the execution by Clearwater County of a contract to him; that a full, true and correct copy of the minutes of the said special session of the Board of County Commissioners of said Clearwater County, held on February 24, 1914, as the said minutes are written in the Minute Book of said Board of County Commissioners, beginning with "Orofino, Idaho, February 24, 1914," and ending with the following: "Board adjourned sine die, Frank Zelenka, Chairman, Attest, Joseph Kauffman, Clerk of the Board of County Commissioners, by F. N. Sherve, Deputy," is hereto attached and made a part hereof as fully as if here written in full; that there is not, and has not been on file in the records of said Clearwater County any request or application in writing

of the assessor of Clearwater County for a cruise and classification of lands in Clearwater County, as recited in the said minutes of the special session of the Board of County Commissioners of Clearwater County, of February 24, 1914; that no order was entered by the Commissioners of said Clearwater County, or a majority of them for the calling of the said special session which was assumed to be held on the 24th day of February, 1914; that there is no proof in the minutes of the proceedings of said Commissioners, or in the files of the Clerk of said Commissioners of the giving of notice of said special session of the Commissioners of said Clearwater County, which was assumed to be held on February 24, 1914; that the action taken by said Board of County Commissioners at the said special session of February 24, 1914, does not correspond with the purposes of the special session as defined in said notice of call of special session dated February 16, 1914; that no other notice of said meeting was ever drawn up or signed by any of the Commissioners or by the Clerk, other than said notice dated Feb. 16, 1914.

V.

That no specifications of what was to be required or done under the proposed contract referred to in said notice dated Feb. 16, 1914, were ever drawn up or written out by or authority of said Board of County Commissioners on or prior to the acceptance of the proposal of the defendant M. G. Nease on the 24th day of February, 1914, by the said Board of County Commissioners; that said Board of County Commis-

sioners did not on or prior to the acceptance of said proposal of the said defendant M. G. Nease advise any other bidder or prospective bidder of the description of the timber or timber lands to be valued, or the location of same; that the said Board of County Commissioners did not call for bids or proposals competitive with the proposal of the said defendant, M. G. Nease, prior to the acceptance of the said proposal of the said M. G. Nease on the 24th day of February, 1914; that the said notice calling the said special session of the Board of County Commissioners of Clearwater County, Idaho, was not published in any newspaper; that on the 24th day of February, 1914, proposals were submitted to said Board of County Commissioners in opposition to the proposal of the said defendant, M. G. Nease by R. B. Hunt and R. L. Rankin; that full, true and correct copies of the said proposals submitted by the defendant M. G. Nease and the said R. B. Hunt and the said R. L. Rankin on the said 24th day of February, 1914, are annexed hereto and made a part hereof as fully as if set forth here in full.

## VI.

That the said Board of County Commissioners of Clearwater County, after accepting as aforesaid the proposal of the said defendant, M. G. Nease, entered on behalf of said Clearwater County into a contract in writing with the said M. G. Nease on the 24th day of February, 1914, which said contract is signed by each of the three County Commissioners and by the defendant M. G. Nease and attested by Joseph Kauff-

man, Clerk of the Board of County Commissioners, by F. N. Shreve, Deputy Clerk, with the seal of the County Commissioners of Clearwater County, Idaho, affixed, a full, true and correct copy of which contract and everything then on file or of record in the matter with certificate thereto is hereto annexed and made part hereof as fully as if here written in full.

## VII.

That there are over 1,250,000 acres of land in said Clearwater County; that there is an unusually wide variation in the character and classification of lands in the State of Idaho, and especially in said Clearwater County, and the said variations in the classification especially in said Clearwater County are constant and large variations, are experienced within short distances, and there is practically no uniformity; that said Clearwater County is an unusually rough mountainous country broken by narrow and precipitious canyons of the tributaries of the Clearwater River extending from the main Clearwater River across the county to the foothills of the mountain range which constitutes the boundary of the State of Idaho and Montana; that there is only one railroad in Clearwater County; that the same runs up the Clearwater River into the said county near the junction of the North Fork of the Clearwater River and then along the east side of the South Fork of the Clearwater River along the east boundary of said Clearwater County, excepting a branch line of railroad which runs into Elk River in the northwestern portion of



said county; that there are about 500,000 acres more or less of timber land in private ownership and control in said Clearwater County; that there are a number of varieties of timber growing upon the said lands; that in some localities one or more varieties grows almost exclusively, and in other localities the varieties are mixed in various degrees; that the condition of the timber as to age and facilities for logging differs widely in various sections; that in some sections the facilities for logging are so difficult as to render even the best quality of timber practically valueless for commercial purposes; that a cruise of any one or two townships of said timber and timber lands by reason of said variations and characteristics is of no value in estimating the value or assessing other tracts of timber or timber lands, and an attempt to assess the timber or timber lands of said Clearwater County on the basis of any particular sample township thereof would be wholly unjust and arbitrary and would not constitute an assessment or valuation at all of any lands other than the particular township or townships actually assessed or cruised.

#### VIII.

That on the 28th day of March, 1914, the said Board of County Commissioners of Clearwater County designated the lands to be cruised under said written contract between the defendant M. G. Nease and said County and caused said designation to be entered upon the records of said County in the Minute Book of said proceedings of the said County Commissioners in the words and figures following, to-wit:

"This being the time set by the Board in accordance with notices of publication, dated March 21, 1914, for the designation of timbered lands to be cruised by M. G. Nease under the contract made Feby. 24, 1914, by and between Board of County Commissioners of Clearwater County, Idaho, party of the first part, and M. G. Nease, party of the second part, the Board, at this time, designated the following lands:

"Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 15, 16, 17 and 18, in Township 38 North, Range 3 E. B. M.

"Sections 10, 11, 12, 13, 14, 15, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, in Township 39 North, Range 3 E. B. M."

### IX.

That the defendant, M. G. Nease, is a non-resident of the State of Idaho and resides at or in the vicinity of Portland, in the State of Oregon; that the said defendant, M. G. Nease, proposes to select a lot of cruisers who are non-residents of said Clearwater County and of the State of Idaho, and to have them cruise the said lands under his directions; that neither the said defendant, M. G. Nease, nor any of said cruisers selected or to be selected by him are officers of the said Clearwater County, or deputies of any such officers and have not been appointed deputies by any officer of said County, nor have any proceedings been had authorizing the engagement of any of them as deputies or fixing the compensation of same as deputies according to the statute in such case



made and provided, or otherwise, or at all; that the said defendant, M. G. Nease, and such assistants as may be engaged by him as aforesaid are acting independently of the assessor of Clearwater County, Idaho, and wholly and exclusively under and by virtue of the said written contract between the said defendant Nease and said Clearwater County; that no application has been made to the Board of County Commissioners by the assessor of Clearwater County for the appointment of said Nease or any of the said cruisers engaged by him as deputy assessors, or for fixing the compensation of same as such deputies, nor have any of them been appointed as deputies by the assessor in writing filed with the recorder of said Clearwater County, nor has said assessor published notice of application for a period of 30 days, or at all before any regular meeting of the Board of County Commissioners in any newspaper in said Clearwater County, nor has he posted any notice of intention to apply to the Board of County Commissioners for appointment of any of said parties as deputy or deputies or as clerical assistant, nor has the said assessor made any application to the said Board of County Commissioners in any manner or form whatsoever for the appointment of any of said parties as deputies or as clerical assistants, nor has the Board fixed the compensation for any of them.

#### X.

That the plan of the defendant, M. G. Nease, in operating under his said contract is to engage a large number of cruisers to be the actual work of cruising

under him and to furnish him reports of work done upon which he will file his claims for compensation under his said contract; that the said Nease hires the said subordinates to do for him the work which he has contracted to do for the County and in one or more instances has had this work done by his subordinates as aforesaid at the rate of four cents per acre; that under the plan and arrangement provided in said contract neither the Board of County Commissioners nor the assessor or Clearwater County knows who will do the work of cruising the timber and timber lands under the said contract, nor have they or any of them any power to select or discharge any of the persons who will do the work, or of directing the work, nor have they any way of knowing what compensation will be received by the men who will do the work; that none of the officers of Clearwater County have any knowledge of the character or qualifications of the men who will do the actual work of cruising as aforesaid; that plaintiff is informed and believes and accordingly avers that the defendant Nease has within a day or two last past arrived in the State of Idaho from the State of Oregon with 20, more or less, cruisers selected by him as aforesaid.

## XI.

That the said contract is not authorized by any law of the State of Idaho, and on the contrary is made in violation of express provisions of the statutes and Constitution of the State of Idaho, and the same operates and was intended to operate as a fraud upon the taxpayers of Clearwater County.

## XII.

That if said contract were obligatory upon Clearwater County the liability thereby created coupled with the designation of lands to be cruised as aforesaid exceeds the income and revenue provided for Clearwater County for the year 1914, and also for the fiscal year from on the second Monday in April, 1913, to upon the second Monday in April, 1914; that no election has been either called or held at any time to authorize the incurring of said liability by said Clearwater County, and no provision has been made by said Clearwater County in any manner whatsoever for collection of a tax to pay either the principal or the interest of said liability as it falls due, or to constitute a sinking fund for the payment thereof, or any part thereof; that the ordinary and necessary expenses of said Clearwater County for the year 1914 authorized by the general laws of the State of Idaho thus far have continually exceeded, and during the balance of the year will vastly exceed any and all income and revenue provided for Clearwater County for the year 1914; that the ordinary and necessary expenses of Clearwater County for the fiscal year from on the second Monday in April, 1913, to upon the second Monday in April, 1914, have continually exceeded, and by the second Monday in April, 1914, will still further exceed the income and revenue provided for said Clearwater County for the said fiscal year thereof; that the said liability under the said contract and the designation of lands to be cruised thereunder as aforesaid is an expense which is

not either an ordinary or a necessary expense to the said Clearwater County, nor an ordinary and necessary expense thereof either under the general laws of the State of Idaho or otherwise, and the said incomes and revenues of Clearwater County which have been exceeded for the calendar year and fiscal year as aforesaid, as above alleged, have been exceeded by the ordinary and necessary expense of said County authorized by the general laws of the State of Idaho, said ordinary and necessary expense not including, but being in addition to the liability above mentioned under the said contract and the said designation of lands to be cruised thereunder as aforesaid; that the said liability created by the said contract and the designation of lands to be cruised thereunder is one which if valid could be paid only out of revenues in or to come into the current expense fund of Clearwater County, and the said Clearwater County has not had and will not have any fund for the payment of such liability other than such funds as have been or may be in the current expense fund of said Clearwater County; that no tax levy has been made for taxes for the year 1914 in Clearwater County, State of Idaho, and the same will not be made until September next; that after payment of the ordinary and necessary expenses of Clearwater County, Idaho, authorized by the general laws of the State of Idaho for the fiscal year from on the second Monday in April, 1913, to upon the second Monday in April, 1914, there will not remain any funds or resources of Clearwater County, Idaho, either in the current expense fund of



the said County, or in any other fund or funds thereof arising from income and revenue provided for or received by said County for said fiscal year for the payment of said liability or any part thereof, and on the expiration of the calendar year 1914 after the payment of all the ordinary and necessary expenses of Clearwater County for the year, 1914, authorized by the general laws of the State of Idaho, there will not remain any sum or resources either in the current expense fund or in any other fund or funds of said County arising from the income provided for said County during the said calendar year, or received by it during the said calendar year for payment upon the said liability under the said contract or any part thereof; that no session or term of the District Court is now fixed or provided for in said Clearwater County, Idaho, till October 5th, 1914.

### XIII.

That plaintiff is informed and believes and therefore alleges that the defendant M. G. Nease has no property in the State of Idaho out of which the said Clearwater County could recover any sums of money that might be paid to him under said contract, nor any property elsewhere out of which same can be recovered; that any money that is paid to the said M. G. Nease under the said contract by Clearwater County must be raised by levy and collection of same from the property of the property holders of said Clearwater County and the said alleged liability and any levy and assessment of taxes for payment of the said alleged liability would constitute a cloud and burden

on the property of the property owners of said Clearwater County.

WHEREFORE, plaintiff prays that a judgment be entered cancelling the contract between the defendant Nease and Clearwater County, a copy of which is annexed to the complaint, and enjoining the defendants Frank Zelenka, Frank Harrison and Elmer O. Torgerson, as County Commissioners, and their successors as such, from allowing any claim against Clearwater County under or upon or pursuant to said contract, and from levying any tax for payment on said contract, and enjoining the defendant Joseph Kauffman, as Auditor of Clearwater County, and his successors as such, or any deputy of said Kauffman and his successors, *for* issuing any warrant upon any fund of said Clearwater County in favor of the defendant M. G. Nease, or his assigns upon any claim under, or upon, or pursuant to the said contract, and enjoining the defendant Blair E. Hoar, as Treasurer of Clearwater County, and his successors as such, and deputies of said Hoar or his successors as treasurer of said County, from paying from the funds of Clearwater County any sums to the defendant M. G. Nease, or his assigns under, pursuant to or upon the said contract, or upon any warrant issued in favor of said Nease or his assigns on any claim made on, under or pursuant to said contract, and enjoining the defendant Clearwater County, and all its officers and deputies thereof and assistants, either now in office or hereafter coming into office at any time from allowing any claim in favor of the said Nease or his assigns

against the said County upon, under or pursuant to said contract, and from issuing any warrant on any such claim for payment thereof, or from paying any such warrant, and enjoining the defendant M. G. Nease from filing any claim against said County upon, under or pursuant to said contract, or from commencing any action or proceeding of any nature against said County or any of its officials thereon, and for a temporary injunction as herein prayed during the pendency of this action, and for a temporary restraining order pending the hearing of any motion or order to show cause against the issuance of such temporary injunction, and for such other and further relief in the premises as to the Court may seem meet and proper, and for plaintiff's costs in the action.

(Signed) JAMES E. BABB,  
Post Office Address: Rooms 8 and 9  
Lewiston National Bank Building,  
Lewiston, Idaho.

Attorney for Plaintiff.

State of Idaho,  
County of Nez Perce,—ss.

JOHN LEWIS, being first duly sworn, on oath deposes and says:

That he is the plaintiff named in the above and foregoing complaint; that he has read said complaint and knows the contents thereof, and that affiant believes the facts stated in the said complaint to be true.

(Signed) JOHN LEWIS.



Subscribed and sworn to before me this 8th day of April, 1914.

(Signed) CHAS. H. CHANCE,  
Notary Public in and for Nez Perce  
County, State of Idaho.

Defendant's Exhibit No. 21, Filed May 10, 1916.  
W. D. McReynolds, Clerk.

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*DEFENDANT'S EXHIBIT NO. 25.*

Portland, Sept. 8, 1914.

To A. W. Laird,  
Potlatch, Idaho.

Case has not been dismissed as agreed at Spokane conference. Trial has been set for October fifth. If case is not dismissed at once I must finish preparing my case at large expense without reason. Please wire definitely. M. G. NEASE.

Charge Nease Timber Co.

Filed May 11, 1916.

W. D. McReynolds, Clerk.

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*DEFENDANT'S EXHIBIT NO. 26.*

Received at 76 Third Street, Cor. Oak,  
Portland, Ore., 1914, Sept. 8 PM 3:50.

Duplicate of telephoned telegram.

K270 SK 29

Potlatch, Idaho 8

M. G. Nease,

Portland, Ore.

Am leaving tomorrow morning for east and unable to see you suggest you arrange for immediate con-

ference with W. H. Farnham Spokane it will be necessary to see him.

A. W. LAIRD.

Filed May 11, 1916.

W. D. McReynolds, Clerk.

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*DEFENDANT'S EXHIBIT NO. 27.*

POTLATCH TIMBER PROTECTIVE ASSOCIATION

Office of Secretary and Treasurer

Potlatch, Idaho,

July 21, 1914.

Nease Timber Co.,

620 Lumbermen's Bldg.,

Portland, Oregon.

Gentlemen:

In compliance with your request of the 20th instant I am enclosing herewith map of the territory of the Potlatch Timber Protective Association.

In this connection let me call your attention to the fact that the boundaries on the east end of the association have been purposely left open, inasmuch as it is the plan of the association to change its present boundaries this fall.

I regret that I can not furnish you with a map of the Clearwater association, but would suggest that you take this matter up with the Secretary, Mr. Ben E. Bush, Moscow, Idaho.

Yours truly,

W. D. HUMISTON,

Secretary & Treasurer.

H-T

Filed May 11, 1916.

W. D. McReynolds, Clerk.

*DEFENDANT'S EXHIBIT NO. 28.*

DAY LETTER

WESTERN UNION TELEGRAPH COMPANY

Received at Depot, Orofino, Idaho, May 10th, 1914.

WS CA 71 Collect Blue 3 Exa only 1.05

Potlatch, Idaho 9—

via Portland, Ogn.

M. G. Nease,

Orofino, Idaho.

Referring to your proposition of the twenty eighth ultimo let me request you that you name a time when we can meet in Spokane to check some of your Latah County estimates before returning them in I now have some interesting reports on the work of your cruisers which will be submitted to you at the time we check estimates suggest that this matter be given prompt attention.

W. D. HUMISTON,

10:45 AM

Filed May 11, 1916.

W. D. McReynolds, Clerk.

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*DEFENDANT'S EXHIBIT NO. 29.*

DAY LETTER

WESTERN UNION TELEGRAPH COMPANY

SEND the following DAY LETTER subject to the terms on back hereof, which are hereby agreed to.

Portland, Oregon, April 3rd, 1914.

To Potlatch Lumber Company,

Potlatch, Idaho.

I thank you for your telegraph and acting on your suggestion will make Boville our destination arriving April sixth. Am bringing twenty-four men. Please

arrange for accommodations for my party and the County officials expected. I will notify Zelenka and Harrison asking you to notify Latah officials.

M. G. NEASE.

Charge Nease Timber Company.

Filed May 11, 1916.

W. D. McReynolds, Clerk.

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*DEFENDANT'S EXHIBIT NO. 30.*

Portland, Oregon, October 27, 1914.

W. D. Humiston,

Potlatch, Idaho.

Work completed ready for comparison here October thirtieth and thirty-first November first second.

M. G. NEASE.

Charge Nease Timber Company.

Filed May 11, 1916.

W. D. McReynolds, Clerk.

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*DEFENDANT'S EXHIBIT NO. 31.*

Portland, Oregon, October 28, 1914.

W. D. Humiston,

Potlatch, Idaho.

Bring figures on entire county. We have every township in county finished. When in Lewiston please call on president Empire National Bank and assure him of legality of cruising warrants explaining to him history of litigation and dismissal.

M. G. NEASE.

Charge Nease Timber Company.

Filed May 11, 1916.

W. D. McReynolds, Clerk.

*DEFENDANT'S EXHIBIT NO. 32.*

THIS RESERVED FOR TREASURER.

Presented for Payment but not Paid for want of  
Funds. October 15, 1914.

Registered on page 36.

Blair E. Hoar, County Treasurer.

Date Int. Ceases....., 191...

Face.....\$200.

Interest..... 3.22

Total Paid.....203.22

Endorse Below.

M. G. Nease,

*Ehrhorder Ins. Co.*

*By E. A. Ehrhorder, Mgr.*

(COPY)

Orofino, Idaho, Oct. 15, 1914. No. 7192.

\$200.00

STATE OF IDAHO,

COUNTY OF CLEARWATER,

To the Treasurer of said County.

Pay to the order of M. G. Nease,

The sum of Two Hundred Dollars,

Out of the Current Exp. Fund not otherwise ap-  
propriated.

For Cruising Timber.

By Authority of Board of Co. Commissioners.

Joseph Kauffman,

County Auditor.

By F. N. Shreve, Deputy.

Series of

1914.

Paid Jany. 7, 1915, Blair E. Hoar, Tax Collector.

Not good if drawn for more than \$200.00.

Defendant's Exhibit No. 32.

Filed May 11, 1916.

W. D. McReynolds, Clerk.



DEFENDANT'S EXHIBIT NO. 33.  
CRUISERS EMPLOYED IN CLEARWATER COUNTY, IDAHO.  
SPRING, 1914.

Name of Cruiser	Commenced Work	Finished Work	Days	Rate	Amount
Lester Clark .....	April 9th	June 11th	62	\$6.00	\$372.00
S. J. Bennison .....	April 8th	June 12th	66	7.00	462.00
J. O. McComb .....	April 9th	June 13th	14	6.00	84.00
J. O. McComb .....			47	7.00	329.00
J. C. Murray .....	April 1st	June 13th	74	6.00	444.00
L. W. Olinger .....	May 16th	June 11th	27	6.00	162.00
E. Randolph .....	May 16th	June 12th	28	6.00	168.00
Roy Wherry .....	April 8th	June 12th	66	6.00	396.00
Archie Young .....	April 9th	May 23rd	41	6.00	246.00
J. A. Morrow .....	May 18th	June 12th	26	6.00	156.00
J. W. McKay .....	April 1st	June 17th	78	200 mo.	513.35
S. S. Duncan .....	May 6th	June 15th	26	2.50	65.00
S. S. Duncan .....			15	3.00	45.00

CRUISERS EMPLOYED IN CLEARWATER COUNTY, IDAHO.  
FALL, 1914.

Name of Cruiser	Commenced Work	Finished Work	Days	Rate	Amount
Lester Clark .....	Aug. 5th	Oct. 23rd	80	\$6.00	\$480.00
W. M. Dockery .....	Aug. 5th	Oct. 11th	9	5.05	45.50
W. M. Dockery .....			55	6.00	330.00
Geo. H. Albright .....	Sept. 15th	Oct. 22nd	38	6.00	228.00
C. M. Conry .....	Sept. 15th	Oct. 30th	46	7.00	322.00
J. E. Croman .....	Sept. 15th	Oct. 28th	44	7.00	308.00
R. E. Slattery .....	Sept. 15th	Oct. 28th	44	7.00	308.00
George Penegor .....	Sept. 15th	Oct. 24th	40	7.00	280.00
J. O. McComb .....	Aug. 5th	Oct. 1st	58	7.00	406.00
A. Hamer .....	Aug. 5th	Oct. 26th	83	6.63	550.00
C. R. Hart .....	Sept. 15th	Oct. 24th	39	6.00	234.00
J. C. Murray .....	Aug. 3rd	Oct. 22nd	81	6.00	486.00
L. W. Olinger .....	Aug. 4th	Oct. 17th	74	6.00	444.00
E. Randolph .....	Aug. 5th	Oct. 14th	71	6.00	426.00

Roy Wherry .....	Aug.	5th	Oct.	13th	70	6.00	420.00
W. H. Johnston .....	Sept.	15th	Oct.	26th	42	7.00	294.00
J. A. Morrow .....	Sept.	15th	Oct.	25th	41	7.00	287.00
B. H. Kelly .....	Sept.	15th	Oct.	19th	35	6.50	227.50
James Weir .....	Aug.	1st	Oct.	31st	92	200 mo.	600.00
J. W. McKay .....	Aug.	5th	Oct.	23rd	27	6.00	162.00
John Miller .....					53	7.00	371.00
John Miller .....	Aug.	5th	Oct.	25th	82	6.00	492.00
C. S. Snyder .....	Aug.	5th	Oct.	13th	70	6.00	420.00
L. M. Tuttle .....	July	26th	Oct.	31st	6	3.50	21.00
S. S. Duncan .....					92	4.00	368.00

COMPASSMEN EMPLOYED IN CLEARWATER COUNTY, IDAHO.  
SPRING, 1914.

Name of Compassman	Commenced		Finished		Days	Rate	Amount
	Work	Work	Work	Work			
H. J. Bennison .....	April	8th	June	12th	66	\$3.50	\$231.00
Fred Bailey .....	April	9th	May	2nd	14	3.00	42.00

Fred Bailey .....					10	3.50	35.00
J. B. Cox .....	April	9th	June	12th	55	3.50	192.50
H. M. Leighton .....	May	17th	June	12th	27	3.50	94.50
Wm. Luce .....	April	9th	June	11th	62	3.50	217.00
Chas. Matson .....	May	16th	June	12th	28	3.50	98.00
F. H. Roberts .....	April	8th	June	12th	66	3.50	231.00
C. S. Snyder .....	May	12th	June	12th	32	4.00	128.00
H. H. Olinger .....	May	16th	May	31st	16	3.50	56.00
Ralph Blanchard .....	April	30th	June	14th	46	3.50	161.00
D. D. Tucker .....	May	8th	June	13th	14	3.00	42.00
D. D. Tucker .....					23	3.50	80.50

## COMPASSMEN EMPLOYED IN CLEARWATER COUNTY IDAHO.

FALL, 1914.

Name of Compassman	Commenced		Finished		Days	Rate	Amount
	Work		Work				
J. B. Cox .....	August	10th	Oct.	14th	66	\$3.50	\$231.00
W. H. Harrison .....	August	3rd	Oct.	22nd	81	3.50	283.50

H. M. Leighton	August	5th	Oct.	13th	70	3.50	245.00
Wm. Luce	August	5th	Oct.	23rd	80	3.50	280.00
F. H. Roberts	August	4th	Oct.	17th	75	3.50	262.50
Ralph Blanchard	August	5th	Oct.	25th	82	3.50	287.00
D. D. Tucker	August	5th	Oct.	1st	58	3.50	203.00
T. M. Laughlin	August	5th	Oct.	13th	70	3.50	245.00
J. A. Coulter	August	5th	Oct.	24th	81	3.50	283.50
Jno. L. Phillips	August	5th	Sept.	4th	31	3.50	108.50
Omar Agnew	Sept.	15th	Oct.	29th	45	3.50	157.50
E. E. Dunn	Sept.	15th	Oct.	26th	42	3.50	147.00
James Norton	Sept.	15th	Oct.	22nd	38	3.50	133.00
Gus Swanson	Aug.	17th	Oct.	11th	56	3.50	196.00
Gus Swanson						Extra	9.00
Lon McKindles	Aug.	5th	Oct.	23rd	80	3.50	280.00
E. Hibblen	Sept.	6th	Oct.	15th	40	3.50	140.00
L. E. Albright	Sept.	15th	Oct.	19th	35	3.50	122.50
Levi Wing	Sept.	15th	Oct.	25th	41	3.50	143.50
W. F. Houth	Sept.	15th	Oct.	24th	40	3.50	140.00

Fred J. Lozo .....	Sept.	15th	Oct.	28th	44	3.50	154.00
V. C. Hart .....	Sept.	15th	Oct.	23rd	39	3.50	136.50
J. W. Miller .....	Oct.	18th	Oct.	27th	10	3.50	35.00
Marion DeShields .....	Sept.	15th	Oct.	28th	44	3.50	154.00

Defendant's Exhibit No. 33,

Filed May 11, 1916.

W. D. McReynolds, Clerk.



**DEFENDANT'S EXHIBIT NO. 34.**

No. 639 C. D.

Filed May 11, 1916.

W. D. McReynolds, Clerk.

State of Idaho,  
County of Clearwater,  
Assessor's Office,—ss.

I, A. E. Hinckley, the duly elected, qualified and acting Assessor in and for said County, DO HEREBY CERTIFY: That the lands specifically described on the enclosed list are owned by and assessed to the persons, firms and corporations whose names appear opposite such descriptions, respectively, according to the ownership records of my office now in my charge and custody.

In testimony whereof, I have hereunto set my hand this 6th day of May, 1916.

A. E. HINCKLEY,

Assessor of Clearwater County, Idaho.

List of Property Belonging to.....

In County of Clearwater, State of Idaho, Township 39, Range 3 E. B. M.

DESCRIPTION	Sec. Tp. Rng.			REMARKS
	Sec.	Tp.	Rng.	
NE of NE	6	39	3E	
NW of NE	..	..	..	
SW of NE	..	..	..	
SE of NE	..	..	..	
NE of NW	..	..	..	John J. Rupp
NW of NW	..	..	..	John J. Rupp
SW of NW	..	..	..	John J. Rupp
SE of NW	..	..	..	John J. Rupp

NE of SW	..	..	..
NW of SW	..	..	..
SW of SW	..	..	..
SE of SW	..	..	..
NE of SE	..	..	..
NW of SE	..	..	..
SW of SE	..	..	..
SE of SE	..	..	..

DESCRIPTION	REMARKS		
	Sec.	Tp.	Rng.
NE of NE	..	..	..
NW of NE	..	..	..
SW of NE	..	..	..
SE of NE	..	..	..
NE of NW	7	39	3 J. M. Aldrich
NW of NW	..	..	.. J. M. Aldrich
SW of NW	..	..	.. J. M. Aldrich
SE of NW	..	..	.. J. M. Aldrich
NE of SW	..	..	..
NW of SW	..	..	..
SW of SW	..	..	..
SE of SW	..	..	..
NE of SE	..	..	..
NW of SE	..	..	..
SW of SE	..	..	..
SE of SE	..	..	..

DESCRIPTION	REMARKS		
	Sec.	Tp.	Rng.
NE of NE	9	..	.. Potlach Lumber Co.
NW of NE	..	..	.. Potlach Lumber Co.
SW of NE	..	..	.. Potlach Lumber Co.

SE of NE	..	..	..	Potlach Lumber Co.
NE of NW	..	..	..	
NW of NW	..	..	..	
SW of NW	..	..	..	
SE of NW	..	..	..	
NE of SW	..	..	..	
NW of SW	..	..	..	
SW of SW	..	..	..	
SE of SW	..	..	..	
NE of SE	..	..	..	Clearwater Timber Co.
NW of SE	..	..	..	Clearwater Timber Co.
SW of SE	..	..	..	Clearwater Timber Co.
SE of SE	..	..	..	Clearwater Timber Co.

DESCRIPTION

REMARKS

Sec. Tp. Rng.

NE of NE	10	..	..	Milwaukee Land Co.
NW of NE	..	..	..	Milwaukee Land Co.
SW of NE	..	..	..	Milwaukee Land Co.
SE of NE	..	..	..	Milwaukee Land Co.
NE of NW	..	..	..	Milwaukee Land Co.
NW of NW	..	..	..	Milwaukee Land Co.
SW of NW	..	..	..	Milwaukee Land Co.
SE of NW	..	..	..	Milwaukee Land Co.
NE of SW	..	..	..	
NW of SW	..	..	..	
SW of SW	..	..	..	
SE of SW	..	..	..	
NE of SE	..	..	..	
NW of SE	..	..	..	
SW of SE	..	..	..	
SE of SE	..	..	..	

List of Property Belonging to.....

In County of Clearwater, State of Idaho, Town-  
ship 39, Range 3 E. B. M.

DESCRIPTION				REMARKS
Sec. Tp. Rng.				
NE of NE	..	..	..	
NW of NE	..	..	..	
SW of NE	..	..	..	
SE of NE	..	..	..	
NE of NW	12	..	..	Clearwater Timber Co.
NW of NW	..	..	..	Meade, C. C.
SW of NW	..	..	..	Clearwater Timber Co.
SE of NW	..	..	..	Clearwater Timber Co.
NE of SW	..	..	..	Milwaukee Land Co.
NW of SW	..	..	..	Milwaukee Land Co.
SW of SW	..	..	..	Milwaukee Land Co.
SE of SW	..	..	..	Milwaukee Land Co.
NE of SE	..	..	..	
NW of SE	..	..	..	
SW of SE	..	..	..	
SE of SE	..	..	..	

DESCRIPTION				REMARKS
Sec. Tp. Rng.				
NE of NE	..	..	..	
NW of NE	..	..	..	
SW of NE	..	..	..	
SE of NE	..	..	..	
NE of NW	..	..	..	
NW of NW	..	..	..	
SW of NW	..	..	..	
SE of NW	..	..	..	

NE of SW	..	..	..	
NW of SW	..	..	..	
SW of SW	13	..	..	Clearwater Timber Co.
SE of SW	..	..	..	Clearwater Timber Co.
NE of SE	..	..	..	
NW of SE	..	..	..	
SW of SE	..	..	..	
SE of SE	..	..	..	

DESCRIPTION	REMARKS			
	Sec.	Tp.	Rng.	
NE of NE	14	..	..	Clearwater Timber Co.
NW of NE	..	..	..	Clearwater Timber Co.
SW of NE	..	..	..	Clearwater Timber Co.
SE of NE	..	..	..	Clearwater Timber Co.
NE of NW	..	..	..	
NW of NW	..	..	..	
SW of NW	..	..	..	
SE of NW	..	..	..	
NE of SW	..	..	..	
NW of SW	..	..	..	
SW of SW	..	..	..	Milwaukee Land Co.
SE of SW	..	..	..	Milwaukee Land Co.
NE of SE	..	..	..	
NW of SE	..	..	..	
SW of SE	..	..	..	Milwaukee Land Co.
SE of SE	..	..	..	Milwaukee Land Co.

DESCRIPTION				REMARKS
	Sec.	Tp.	Rng.	
NE of NE	15	..	..	Clearwater Timber Co.
NW of NE	..	..	..	
SW of NE	..	..	..	

SE of NE	..	..	..	K. and Kettenbach.
NE of NW	..	..	..	
NW of NW	..	..	..	
SW of NW	..	..	..	
SE of NW	..	..	..	Clearwater Timber Co.
NE of SW	..	..	..	Clearwater Timber Co.
NW of SW	..	..	..	
SW of SW	..	..	..	Clearwater Timber Co.
SE of SW	..	..	..	Clearwater Timber Co.
NE of SE	..	..	..	
NW of SE	..	..	..	
SW of SE	..	..	..	
SE of SE	..	..	..	

List of Property Belonging to.....

In County of Clearwater, State of Idaho, Town-  
ship 39, Range 3 E. B. M.

DESCRIPTION				REMARKS
	Sec.	Tp.	Rng.	
NE of NE	20	..	..	Potlach Lumber Co.
NW of NE	..	..	..	
SW of NE	..	..	..	
SE of NE	..	..	..	Mining ground of Mc- Gann.
NE of NW				
	..	..	..	
NW of NW	..	..	..	
SW of NW	..	..	..	
SE of NW	..	..	..	H. B. Stoner
NE of SW	..	..	..	L. Michaels
NW of SW	..	..	..	
SW of SW	..	..	..	Potlach Lumber Co.
SE of SW	..	..	..	Potlach Lumber Co.



NE of SE	20	..	..	Mining ground and H. E.
NW of SE	..	..	..	Potlach Lumber Co.
SW of SE	..	..	..	Potlach Lumber Co.
SE of SE	..	..	..	

DESCRIPTION				REMARKS
Sec. Tp. Rng.				
NE of NE	21	..	..	Clearwater Timber Co.
NW of NE	..	..	..	Clearwater Timber Co.
SW of NE	..	..	..	Clearwater Timber Co.
SE of NE	..	..	..	Clearwater Timber Co.
NE of NW	..	..	..	Potlach Lumber Co.
NW of NW	..	..	..	Potlach Lumber Co.
SW of NW	..	..	..	Potlach Lumber Co.
SE of NW	..	..	..	Potlach Lumber Co.
NE of SW	..	..	..	Potlach Lumber Co.
NW of SW	..	..	..	Northern Pacific Ry Co.
SW of SW	..	..	..	Mining ground and H. E.
SE of SW	..	..	..	Potlach Lumber Co.
NE of SE	..	..	..	Potlach Lumber Co. and Luella Foster 1/2 cut each.
NW of SE	..	..	..	Potlach Lumber Co.
SW of SE	..	..	..	Potlach Lumber Co.
SE of SE	..	..	..	Potlach Lumber Co. and Luella Foster 1/2 cut each.

DESCRIPTION				REMARKS
Sec. Tp. Rng.				
NE of NE	..	..	..	
NW of NE	..	..	..	
SW of NE	..	..	..	

SE of NE	..	..	..	
NE of NW	..	..	..	
NW of NW	..	..	..	
SW of NW	..	..	..	
SE of NW	..	..	..	
NE of SW	22	..	..	Clearwater Timber Co.
NW of SW	..	..	..	Clearwater Timber Co.
SW of SW	..	..	..	Potlach Lumber Co. and Luella Foster 1/2 cut each.
SE of SW	..	..	..	Clearwater Timber Co.
NE of SE	..	..	..	
NW of SE	..	..	..	
SW of SE	..	..	..	
SE of SE	..	..	..	

DESCRIPTION				REMARKS
	Sec.	Tp.	Rng.	
NE of NE	..	..	..	
NW of NE	..	..	..	
SW of NE	..	..	..	
SE of NE	..	..	..	
NE of NW	25	..	..	Clearwater Timber Co.
NW of NW	..	..	..	Clearwater Timber Co.
SW of NW	..	..	..	
SE of NW	..	..	..	
NE of SW	..	..	..	
NW of SW	..	..	..	
SW of SW	..	..	..	
SE of SW	..	..	..	
NE of SE	..	..	..	
NW of SE	..	..	..	

SW of SE .. ..

SE of SE .. ..

List of Property Belonging to.....

In County of Clearwater, State of Idaho, Town-  
ship 39, Range 3 E. B. M.

DESCRIPTION	Sec. Tp. Rng.			REMARKS
NE of NE	..	..	..	
NW of NE	..	..	..	
SW of NE	..	..	..	
SE of NE	..	..	..	
NE of NW	..	..	..	
NW of NW	..	..	..	
SW of NW	..	..	..	
SE of NW	..	..	..	
NE of SW	26	..	..	Milwaukee Land Co.
NW of SW	..	..	..	Milwaukee Land Co.
SW of SW	..	..	..	Milwaukee Land Co.
SE of SW	..	..	..	Milwaukee Land Co.
NE of SE	..	..	..	
NW of SE	..	..	..	
SW of SE	..	..	..	
SE of SE	..	..	..	

DESCRIPTION	Sec. Tp. Rng.			REMARKS
NE of NE	..	..	..	
NW of NE	..	..	..	
SW of NE	27	..	..	T. L. Driscoll
SE of NE	..	..	..	
NE of NW	..	..	..	Margaret Mayer
NW of NW	..	..	..	Northern Pacific Ry. Co.

SW of NW	..	..	..	Potlach Lumber Co.
SE of NW	..	..	..	Potlach Lumber Co.
NE of SW	..	..	..	
NW of SW	..	..	..	
SW of SW	..	..	..	
SE of SW	..	..	..	
NE of SE	..	..	..	
NW of SE	..	..	..	J. P. Vollmer
SW of SE	..	..	..	
SE of SE	..	..	..	

DESCRIPTION				REMARKS
	Sec.	Tp.	Rng.	
NE of NE	28	..	..	Potlach Lumber Co.
NW of NE	..	..	..	Potlach Lumber Co.
SW of NE	..	..	..	Potlach Lumber Co.
SE of NE	..	..	.	Potlach Lumber Co.
NE of NW	..	..	..	Potlach Lumber Co.
NW of NW	..	..	..	Mining ground and H. E.
SW of NW	..	..	..	Northern Pacific Ry. Co.
SE of NW	..	..	..	Potlach Lumber Co.
NE of SW	..	..	..	Potlach Lumber Co.
NW of SW	..	..	..	Potlach Lumber Co.
SW of SW	..	..	..	Potlach Lumber Co.
SE of SW	..	.	..	Potlach Lumber Co.
NE of SE	..	..	..	Potlach Lumber Co.
NW of SE	..	..	..	Potlach Lumber Co.
SW of SE	..	..	..	
SE of SE	..	..	..	

DESCRIPTION				REMARKS
	Sec.	Tp.	Rng.	
NE of NE	29	..	..	Northern Pacific Ry. Co.

NW of NE	..	..	..	Potlach Lumber Co.
SW of NE	..	..	..	Potlach Lumber Co.
SE of NE	..	..	..	Potlach Lumber Co.
NE of NW	..	..	..	Potlach Lumber Co.
NW of NW	..	..	..	Stack Gibbs Co.
SW of NW	..	..	..	Stack Gibbs Co.
SE of NW	..	..	..	Potlach Lumber Co.
NE of SW	..	..	..	Potlach Lumber Co.
NW of SW	..	..	..	Potlach Lumber Co.
SW of SW	..	..	..	Potlach Lumber Co.
SE of SW	..	..	..	Potlach Lumber Co.
NE of SE	..	..	..	Potlach Lumber Co.
NW of SE	..	..	..	Potlach Lumber Co.
SW of SE	..	..	..	Potlach Lumber Co.
SE of SE	..	..	..	Potlach Lumber Co.

List of Property Belonging to.....

In County of Clearwater, State of Idaho, Town  
ship 39, Range 3 E. B. M.

DESCRIPTION				REMARKS
	Sec.	Tp.	Rng.	
NE of NE	..	..	..	
NW of NE	30	..	..	F. V. French
SW of NE	30	..	..	F. V. French
SE of NE	..	..	..	
NE of NW	..	..	..	F. V. French
NW of NW	..	..	..	
SW of NW	..	..	..	
SE of NW	..	..	..	F. V. French
NE of SW	..	..	..	Milwaukee Land Co.
NW of SW	..	..	..	Milwaukee Land Co.
SW of SW	..	..	..	Milwaukee Land Co.

SE of SW	..	..	..	Milwaukee Land Co.
NE of SE	..	..	..	
NW of SE	..	..	..	Potlach Lumber Co.
SW of SE	..	..	..	
SE of SE	..	..	..	

DESCRIPTION				REMARKS
	Sec.	Tp.	Rng.	
NE of NE	31	..	..	Potlach Lumber Co.
NW of NE	..	..	..	Potlach Lumber Co.
SW of NE	..	..	..	
SE of NE	..	..	..	Potlach Lumber Co.
NE of NW	..	..	..	Geo. A. Rubedew
NW of NW	..	..	..	Geo. A. Rubedew
SW of NW	..	..	..	Geo. A. Rubedew
SE of NW	..	..	..	Geo. A. Rubedew
NE of SW	..	..	..	
NW of SW	..	..	..	
SW of SW	..	..	..	
SE of SW	..	..	..	
NE of SE	..	..	..	Potlach Lumber Co.
NW of SE	..	..	..	Potlach Lumber Co.
SW of SE	..	..	..	Potlach Lumber Co.
SE of SE	..	..	..	Potlach Lumber Co.

DESCRIPTION				REMARKS
	Sec.	Tp.	Rng.	
NE of NE	32	..	..	Potlach Lumber Co.
NW of NE	..	..	..	Potlach Lumber Co.
SW of NE	..	..	..	Potlach Lumber Co.
SE of NE	..	..	..	Potlach Lumber Co.
NE of NW	..	..	..	Potlach Lumber Co.

NW of NW	..	..	..	Potlach Lumber Co.
SW of NW	..	..	..	Potlach Lumber Co.
SE of NW	..	..	..	Potlach Lumber Co.
NE of SW	..	..	..	Potlach Lumber Co.
NW of SW	..	..	..	Potlach Lumber Co.
SW of SW	..	..	..	Potlach Lumber Co.
SE of SW	..	..	..	Potlach Lumber Co.
NE of SE	..	..	..	Potlach Lumber Co.
NW of SE	..	..	..	Potlach Lumber Co.
SW of SE	..	..	..	Potlach Lumber Co.
SE of SE	..	..	..	Potlach Lumber Co.

DESCRIPTION

REMARKS

Sec. Tp. Rng.

NE of NE	33	..	..	Thos. Padden
NW of NE	..	..	..	Potlach Lumber Co.
SW of NE	..	..	..	Potlach Lumber Co.
SE of NE	..	..	..	Thos. Padden
NE of NW	..	..	..	
NW of NW	..	..	..	
SW of NW	..	..	..	
SE of NW	..	..	..	
NE of SW	..	..	..	
NW of SW	..	..	..	
SW of SW	..	..	..	
SE of SW	..	..	..	
NE of SE	..	..	..	Potlach Lumber Co.
NW of SE	..	..	..	
SW of SE	..	..	..	
SE of SE	..	..	..	Potlach Lumber Co.



List of Property Belonging to.....

In County of Clearwater, State of Idaho, Town-  
ship 39, Range 3 E. B. M.

DESCRIPTION	Sec. Tp. Rng.			REMARKS
NE of NE	..	..	..	
NW of NE	..	..	..	
SW of NE	34	..	..	W. H. Swinton
SE of NE	..	..	..	
NE of NW	..	..	..	
NW of NW	..	..	..	
SW of NW	..	..	..	Potlach Lumber Co.
SE of NW	..	..	..	W. H. Swinton
NE of SW	..	..	..	
NW of SW	..	..	..	Potlach Lumber Co.
SW of SW	..	..	..	W. W. Trumbull
SE of SW	..	..	..	
NE of SE	..	..	..	
NW of SE	..	..	..	W. H. Swinton
SW of SE	..	..	..	W. H. Swinton
SE of SE	..	..	..	Clearwater Timber Co.

DESCRIPTION	Sec. Tp. Rng.			REMARKS
NE of NE	35	..	..	Clearwater Timber Co.
NW of NE	..	..	..	Clearwater Timber Co.
SW of NE	..	..	..	Louise Squires
SE of NE	..	..	..	Clearwater Timber Co.
NE of NW	..	..	..	Clearwater Timber Co.
NW of NW	..	..	..	
SW of NW	..	..	..	
SE of NW	..	..	..	
NE of SW	..	..	..	Clearwater Timber Co.
NW of SW	..	..	..	

SW of SW	..	..	..	Clearwater Timber Co.
SE of SW	..	..	..	Clearwater Timber Co.
NE of SE	..	..	..	
NW of SE	..	..	..	
SW of SE	..	..	..	
SE of SE	..	..	..	

DESCRIPTION				REMARKS
	Sec.	Tp.	Rng.	
NE of NE	2	..	..	A. H. Irving
NW of NE	..	..	..	A. H. Irving
SW of NE	..	..	..	A. H. Irving
SE of NE	..	..	..	A. H. Irving
NE of NW	..	..	..	
NW of NW	..	..	..	
SW of NW	..	..	..	
SE of NW	..	..	..	
NE of SW	..	..	..	Clearwater Timber Co.
NW of SW	..	..	..	Clearwater Timber Co.
SW of SW	..	..	..	Clearwater Timber Co.
SE of SW	..	..	..	Clearwater Timber Co.
NE of SE	..	..	..	
NW of SE	..	..	..	
SW of SE	..	..	..	
SE of SE	..	..	..	

DESCRIPTION				REMARKS
	Sec.	Tp.	Rng.	
NE of NE	5	..	..	Clearwater Timber Co.
NW of NE	..	..	..	Clearwater Timber Co.
SW of NE	..	..	..	
SE of NE	..	..	..	Clearwater Timber Co.
NE of NW	..	..	..	
NW of NW	..	..	..	

SW of NW .. ..  
 SE of NW .. ..  
 NE of SW .. ..  
 NW of SW .. ..  
 SW of SW .. ..  
 SE of SW .. ..  
 NE of SE .. ..  
 NW of SE .. ..  
 SW of SE .. ..  
 SE of SE .. ..

List of Property Belonging to.....

In County of Clearwater, State of Idaho, Town-  
 ship 41, Range 3, B. M.

DESCRIPTION	REMARKS		
Sec. Tp. Rng.			
NE of NE .. ..			
NW of NE .. ..			
SW of NE .. ..			
SE of NE .. ..			
NE of NW 31 41 3	H. B. Long		
NW of NW 31 41 3	Potlach Lumber Co.		
SW of NW 31 41 3	Potlach Lumber Co.		
SE of NW 31 41 3	Potlach Lumber Co.		
NE of SW 31 41 3	Potlach Lumber Co.		
NW of SW 31 41 3	Potlach Lumber Co.		
SW of SW .. ..			
SE of SW .. ..			
NE of SE .. ..			
NW of SE .. ..			
SW of SE .. ..			
SE of SE .. ..			

DESCRIPTION				REMARKS
	Sec.	Tp.	Rng.	
NE of NE	..	..	..	
NW of NE	..	..	..	
SW of NE	..	..	..	
SE of NE	..	..	..	
NE of NW	..	..	..	
NW of NW	..	..	..	
SW of NW	..	..	..	
SE of NW	..	..	..	
NE of SW	..	..	..	
NW of SW	33	41	3	Potlach Lumber Co.
SW of SW	33	41	3	Potlach Lumber Co.
SE of SW	..	..	..	
NE of SE	..	..	..	
NW of SE	..	..	..	
SW of SE	..	..	..	
SE of SE	..	..	..	

DESCRIPTION				REMARKS
	Sec.	Tp.	Rng.	
NE of NE	..	..	..	
NW of NE	..	..	..	
SW of NE	..	..	..	
SE of NE	..	..	..	
NE of NW	..	..	..	
NW of NW	..	..	..	
SW of NW	..	..	..	
SE of NW	..	..	..	
NE of SW	17	41	3	Potlach Lumber Co.
NW of SW	17	41	3	Potlach Lumber Co.
SW of SW	17	41	3	Potlach Lumber Co.

SE of SW	17	41	3	Potlach Lumber Co.
NE of SE	..	..	..	
NW of SE	..	..	..	
SW of NE	..	..	..	
SE of SE	..	..	..	

## DESCRIPTION

## REMARKS

Sec. Tp. Rng.

NE of NE	..	..	..	
NW of NE	..	..	..	
SW of NE	..	..	..	
SE of NE	..	..	..	
NE of NW	..	..	..	
NW of NW	18	41	3	Potlach Lumber Co.
SW of NW	18	41	3	Potlach Lumber Co.
SE of NW	..	..	..	
NE of SW	..	..	..	
NW of SW	..	..	..	
SW of SW	..	..	..	
SE of SW	..	..	..	
NE of SE	..	..	..	
NW of SE	..	..	..	
SW of SE	..	..	..	
SE of SE	..	..	..	

List of Property Belonging to.....

In County of Clearwater, State of Idaho, Town-  
ship 41, Range 3, B. M.

## DESCRIPTION

## REMARKS

Sec. Tp. Rng.

NE of NE	19	41	3	Potlach Lumber Co.
NW of NE	19	41	3	Potlach Lumber Co.
SW of NE	19	41	3	Potlach Lumber Co.

SE of NE	19	41	3	Potlach Lumber Co.
NE of NW	19	41	3	Potlach Lumber Co.
NW of NW	19	41	3	Potlach Lumber Co.
SW of NW	19	41	3	Potlach Lumber Co.
SE of NW	19	41	3	Potlach Lumber Co.
NE of SW	19	41	3	Potlach Lumber Co.
NW of SW	19	41	3	Potlach Lumber Co.
SW of SW	..	..	..	
SE of SW	..	..	..	
NE of SE	..	..	..	
NW of SE	..	..	..	
SW of SE	..	..	..	
SE of SE	..	..	..	

DESCRIPTION

REMARKS

Sec. Tp. Rng.

NE of NE	..	..	..
NW of NE	..	..	..
SW of NE	..	..	..
SE of NE	..	..	..
NE of NW	..	..	..
NW of NW	..	..	..
SW of NW	..	..	..
SE of NW	..	..	..
NE of SW	..	..	..
NW of SW	..	..	..
SW of SW	..	..	..
SE of SW	..	..	..
NE of SE	..	..	..
NW of SE	..	..	..
SW of SE	..	..	..
SE of SE	..	..	..

DESCRIPTION	REMARKS		
	Sec.	Tp.	Rng.
NE of NE	..	..	..
NW of NE	..	..	..
SW of NE	..	..	..
SE of NE	..	..	..
NE of NW	..	..	..
NW of NW	..	..	..
SW of NW	..	..	..
SE of NW	..	..	..
NE of SW	..	..	..
NW of SW	..	..	..
SW of SW	..	..	..
SE of SW	..	..	..
NE of SE	..	..	..
NW of SE	..	..	..
SW of SE	..	..	..
SE of SE	..	..	..

DESCRIPTION	REMARKS		
	Sec.	Tp.	Rng.
NE of NE	..	..	..
NW of NE	..	..	..
SW of NE	..	..	..
SE of NE	..	..	..
NE of NW	..	..	..
NW of NW	..	..	..
SW of NW	..	..	..
SE of NW	..	..	..
NE of SW	..	..	..
NW of SW	..	..	..
SW of SW	..	..	..



SE of SW .. ..  
 NE of SE .. ..  
 NW of SE .. ..  
 SW of SE .. ..  
 SE of SE .. ..

List of Property Belonging to.....

In County of Clearwater, State of Idaho, Town-  
 ship 38, Range 4, B. M.

DESCRIPTION	Sec. Tp. Rng.			REMARKS
NE of NE	21	38	4	Clearwater Timber Co.
NW of NE	21	38	4	Clearwater Timber Co.
SW of NE	21	38	4	Clearwater Timber Co.
SE of NE	21	38	4	Clearwater Timber Co.
NE of NW	..	..	..	
NW of NW	..	..	..	
SW of NW	..	..	..	
SE of NW	..	..	..	
NE of SW	..	..	..	
NW of SW	..	..	..	
SW of SW	..	..	..	
SE of SW	..	..	..	
NE of SE	..	..	..	
NW of SE	..	..	..	
SW of SE	..	..	..	
SE of SE	..	..	..	

DESCRIPTION	Sec. Tp. Rng.			REMARKS
NE of NE	..	..	..	
NW of NE	..	..	..	
SW of NE	..	..	..	

SE of NE	..	..	..	
NE of NW	22	38	4	Clearwater Timber Co.
NW of NW	22	38	4	Clearwater Timber Co.
SW of NW	22	38	4	Clearwater Timber Co.
SE of NW	22	38	4	Clearwater Timber Co.
NE of SW	..	..	..	
NW of SW	..	..	..	
SW of SW	..	..	..	
SE of SW	..	..	..	
NE of SE	..	..	..	
NW of SE	..	..	..	
SW of SE	..	..	..	
SE of SE	..	..	..	

## DESCRIPTION

## REMARKS

Sec. Tp. Rng.

NE of NE	..	..	..	
NW of NE	..	..	..	
SW of NE	..	..	..	
SE of NE	..	..	..	
NE of NW	..	..	..	
NW of NW	..	..	..	
SW of NW	26	38	4	Clearwater Timber Co.
SE of NW	..	..	..	
NE of SW	26	38	4	Clearwater Timber Co.
NW of SW	26	38	4	Clearwater Timber Co.
SW of SW	26	38	4	Clearwater Timber Co.
SE of SW	26	38	4	Wm. Libert
NE of SE	..	..	..	
NW of SE	..	..	..	
SW of SE	..	..	..	
SE of SE	..	..	..	

DESCRIPTION				REMARKS
	Sec. Tp. Rng.			
NE of NE	35	38	4	Clearwater Timber Co.
NW of NE	35	38	4	Clearwater Timber Co.
SW of NE	35	38	4	Clearwater Timber Co.
SE of NE	35	38	4	Clearwater Timber Co.
NE of NW	..	..	..	
NW of NW	..	..	..	
SW of NW	..	..	..	
SE of NW	..	..	..	
NE of SW	..	..	..	
NW of SW	..	..	..	
SW of SW	..	..	..	
SE of SW	..	..	..	
NE of SE	..	..	..	
NW of SE	..	..	..	
SW of SE	..	..	..	
SE of SE	..	..	..	

List of Property Belonging to.....

In County of Clearwater, State of Idaho, Town-  
ship 40, Range 4, B. M.

DESCRIPTION	REMARKS			
	Sec.	Tp.	Rng.	
NE of NE	26	40	4	Milwaukee Land Co.
NW of NE	..	..	..	
SW of NE	..	..	..	
SE of NE	..	..	..	
NE of NW	..	..	..	
NW of NW	..	..	..	
SW of NW	..	..	..	
SE of NW	..	..	..	

NE of SW	..	..	..	
NW of SW	..	..	..	
SW of SW	..	..	..	
SE of SW	..	..	..	
NE of SE	26	40	4	Milwaukee Land Co.
NW of SE	..	..	..	
SW of SE	..	..	..	
SE of SE	26	40	4	Milwaukee Land Co.

DESCRIPTION				REMARKS
	Sec.	Tp.	Rng.	
NE of NE	27	40	4	Clearwater Timber Co.
NW of NE	27	40	4	Clearwater Timber Co.
SW of NE	27	40	4	Clearwater Timber Co.
SE of NE	27	40	4	Clearwater Timber Co.
NE of NW	..	..	..	
NW of NW	..	..	..	
SW of NW	..	..	..	
SE of NW	..	..	..	
NE of SW	..	..	..	
NW of SW	..	..	..	
SW of SW	..	..	..	
SE of SW	..	..	..	
NE of SE	..	..	..	
NW of SE	..	..	..	
SW of SE	..	..	..	
SE of SE	..	..	..	

DESCRIPTION	REMARKS		
	Sec.	Tp.	Rng.
NE of NE	..	..	..
NW of NE	..	..	..
SW of NE	..	..	..

SE of NE	..	..	..	
NE of NW	..	..	..	
NW of NW	..	..	..	
SW of NW	..	..	..	
SE of NW	..	..	..	
NE of SW	..	..	..	
NW of SW	..	..	..	
SW of SW	..	..	..	
SE of SW	..	..	..	
NE of SE	..	..	..	
NW of SE	..	..	..	
SW of SE	..	..	..	
SE of SE	28	40	4	Milwaukee Land Co.

DESCRIPTION

REMARKS

Sec. Tp. Rng.

NE of NE	33	40	4	Milwaukee Land Co.
NW of NE	33	40	4	Milwaukee Land Co.
SW of NE	..	..	..	
SE of NE	33	40	4	Milwaukee Land Co.
NE of NW	..	..	..	
NW of NW	..	..	..	
SW of NW	..	..	..	
SE of NW	..	..	..	
NE of SW	..	..	..	
NW of SW	..	..	..	
SW of SW	..	..	..	
SE of SW	..	..	..	
NE of SE	33	40	4	Clearwater Timber Co.
NW of SE	33	40	4	Clearwater Timber Co.
SW of SE	..	..	..	
SE of SE	..	..	..	

List of Property Belonging to.....  
 In County of Clearwater, State of Idaho, Town-  
 ship 40, Range 4, B. M.

DESCRIPTION				REMARKS
	Sec.	Tp.	Rng.	
NE of NE	..	..	..	
NW of NE	..	..	.	
SW of NE	..	..	..	
SE of NE	..	..	..	
NE of NW	34	40	4	Milwaukee Land Co.
NW of NW	34	40	4	Milwaukee Land Co.
SW of NW	34	40	4	Milwaukee Land Co.
SE of NW	34	40	4	Milwaukee Land Co.
NE of SW	..	..	..	
NW of SW	..	..	..	
SW of SW	..	..	..	
SE of SW	..	..	..	
NE of SE	..	..	..	
NW of SE	..	..	..	
SW of SE	..	..	..	
SE of SE	..	..	..	

DESCRIPTION	REMARKS		
	Sec.	Tp.	Rng.
NE of NE	..	..	..
NW of NE	..	..	..
SW of NE	..	..	..
SE of NE	..	..	..
NE of NW	..	..	..
NW of NW	..	..	..
SW of NW	..	..	..
SE of NW	..	..	..

NE of SW	..	..	..
NW of SW	..	..	..
SW of SW	..	..	..
SE of SW	..	..	..
NE of SE	..	..	..
NW of SE	..	..	..
SW of SE	..	..	..
SE of SE	..	..	..

DESCRIPTION

REMARKS

Sec. Tp. Rng.

NE of NE	..	..	..
NW of NE	..	..	..
SW of NE	..	..	..
SE of NE	..	..	..
NE of NW	..	..	..
NW of NW	..	..	..
SW of NW	..	..	..
SE of NW	..	..	..
NE of SW	..	..	..
NW of SW	..	..	..
SW of SW	..	..	..
SE of SW	..	..	..
NE of SE	..	..	..
NW of SE	..	..	..
SW of SE	..	..	..
SE of SE	..	..	..

DESCRIPTION

REMARKS

Sec. Tp. Rng.

NE of NE	..	..	..
NW of NE	..	..	..
SW of NE	..	..	..
SE of NE	..	..	..



NE of NW	..	..	..
NW of NW	..	..	..
SW of NW	..	..	..
SE of NW	..	..	..
NE of SW	..	..	..
NW of SW	..	..	..
SW of SW	..	..	..
SE of SW	..	..	..
NE of SE	..	..	..
NW of SE	..	..	..
SW of SE	..	..	..
SE of SE	..	..	..

List of Property Belonging to.....

In County of Clearwater, State of Idaho, Town-  
ship 40, Range 4, B. M.

DESCRIPTION				REMARKS
	Sec.	Tp.	Rng.	
NE of NE	..	..	..	
NW of NE	..	..	..	
SW of NE	..	..	..	
SE of NE	..	..	..	
NE of NW	..	..	..	
NW of NW	..	..	..	
SW of NW	..	..	..	
SE of NW	..	..	..	
NE of SW	23	40	4	Clearwater Timber Co.
NW of SW	..	..	..	Clearwater Timber Co.
SW of SW	..	..	..	Clearwater Timber Co.
SE of SW	..	..	..	Clearwater Timber Co.
NE of SE	..	..	..	
NW of SE	..	..	..	

SW of SE .. ..

SE of SE .. ..

DESCRIPTION				REMARKS
Sec. Tp. Rng.				
NE of NE	..	..	..	
NW of NE	..	..	..	
SW of NE	..	..	..	
SE of NE	..	..	..	
NE of NW	24	40	4	Clearwater Timber Co.
NW of NW	24	40	4	Clearwater Timber Co.
SW of NW	24	40	4	Clearwater Timber Co.
SE of NW	24	40	4	Clearwater Timber Co.
NE of SW	24	40	4	Clearwater Timber Co.
NW of SW	24	40	4	Clearwater Timber Co.
SW of SW	24	40	4	Clearwater Timber Co.
SE of SW	24	40	4	Clearwater Timber Co.
NE of SE	24	40	4	Clearwater Timber Co.
NW of SE	24	40	4	Clearwater Timber Co.
SW of SE	24	40	4	Clearwater Timber Co.
SE of SE	24	40	4	Clearwater Timber Co.

DESCRIPTION				REMARKS
Sec. Tp. Rng.				
NE of NE	25	40	4	Clearwater Timber Co.
NW of NE	25	40	4	Clearwater Timber Co.
SW of NE	25	40	4	Clearwater Timber Co.
SE of NE	25	40	4	Clearwater Timber Co.
NE of NW	..	..	..	
NW of NW	..	..	..	
SW of NW	..	..	..	
SE of NW	..	..	..	
NE of SW	25	40	4	Clearwater Timber Co.
NW of SW	..	..	..	

SW of SW	..	..	..	
SE of SW	..	..	..	
NE of SE	25	40	4	Clearwater Timber Co.
NW of SE	25	40	4	Clearwater Timber Co.
SW of SE	25	40	4	Clearwater Timber Co.
SE of SE	25	40	4	Clearwater Timber Co.

DESCRIPTION	REMARKS		
Sec. Tp. Rng.			
NE of NE	..	..	..
NW of NE	..	..	..
SW of NE	..	..	..
SE of NE	..	..	..
NE of NW	..	..	..
NW of NW	..	..	..
SW of NW	..	..	..
SE of NW	..	..	..
NE of SW	..	..	..
NW of SW	..	..	..
SW of SW	..	..	..
SE of SW	..	..	..
NE of SE	..	..	..
NW of SE	..	..	..
SW of SE	..	..	..
SE of SE	..	..	..

List of Property Belonging to.....

In County of Clearwater, State of Idaho, Town-  
ship 36, Range 5, B. M.

DESCRIPTION	REMARKS		
	Sec.	Tp.	Rng.
NE of NE	..	..	..
NW of NE	..	..	..

SW of NE	..	..	..	
SE of NE	..	..	..	
NE of NW	..	..	..	
NW of NW	..	..	..	
SW of NW	12	36	5	Milwaukee Land Co.
SE of NW	..	..	..	
NE of SW	..	..	..	
NW of SW	12	36	5	Milwaukee Land Co.
SW of SW	..	..	..	
SE of SW	..	..	..	
NE of SE	..	..	..	
NW of SE	..	..	..	
SW of SE	..	..	..	
SE of SE	..	..	..	

DESCRIPTION

REMARKS

Sec. Tp. Rng.

NE of NE	..	..	..
NW of NE	..	..	..
SW of NE	..	..	..
SE of NE	..	..	..
NE of NW	..	..	..
NW of NW	..	..	..
SW of NW	..	..	..
SE of NW	..	..	..
NE of SW	..	..	..
NW of SW	..	..	..
SW of SW	..	..	..
SE of SW	..	..	..
NE of SE	..	..	..
NW of SE	..	..	..
SW of SE	..	..	..
SE of SE	..	..	..

DESCRIPTION	REMARKS		
Sec. Tp. Rng.			
NE of NE	..	..	..
NW of NE	..	..	..
SW of NE	..	..	..
SE of NE	..	..	..
NE of NW	..	..	..
NW of NW	..	..	..
SW of NW	..	..	..
SE of NW	..	..	..
NE of SW	..	..	..
NW of SW	..	..	..
SW of SW	..	..	..
SE of SW	..	..	..
NE of SE	..	..	..
NW of SE	..	..	..
SW of SE	..	..	..
SE of SE	..	..	..

DESCRIPTION	REMARKS		
Sec. Tp. Rng.			
NE of NE	..	..	..
NW of NE	..	..	..
SW of NE	..	..	..
SE of NE	..	..	..
NE of NW	..	..	..
NW of NW	..	..	..
SW of NW	..	..	..
SE of NW	..	..	..
NE of SW	..	..	..
NW of SW	..	..	..
SW of SW	..	..	..

SE of SW .. ..  
 NE of SE .. ..  
 NW of SE .. ..  
 SW of SE .. ..  
 SE of SE .. ..

List of Property Belonging to.....  
 In County of Clearwater, State of Idaho, Town-  
 ship 36, Range 5, B. M.

DESCRIPTION	Sec. Tp. Rng.			REMARKS
NE of NE	34	36	5	Clearwater Timber Co.
NW of NE	34	36	5	Clearwater Timber Co.
SW of NE	34	36	5	Clearwater Timber Co.
SE of NE	24	36	5	Clearwater Timber Co.
NE of NW	..	..	..	
NW of NW	..	..	..	
SW of NW	..	..	..	
SE of NW	..	..	..	
NE of SW	..	..	..	
NW of SW	..	..	..	
SW of SW	..	..	..	
SE of SW	..	..	..	
NE of SE	..	..	..	
NW of SE	..	..	..	
SW of SE	..	..	..	
SE of SE	..	..	..	

DESCRIPTION	Sec. Tp. Rng.			REMARKS
NE of NE	..	..	..	
NW of NE	..	..	..	
SW of NE	..	..	..	

SE of NE	11	36	5	Milwaukee Land Co.
NE of NW	..	..	..	
NW of NW	..	..	..	
SW of NW	..	..	..	
SE of NW	..	..	..	
NE of SW	..	..	..	
NW of SW	..	..	..	
SW of SW	..	..	..	
SE of SW	..	..	..	
NE of SE	11	36	5	Milwaukee Land Co.
NW of SE	..	..	..	
SW of SE	..	..	..	
SE of SE	..	..	..	

DESCRIPTION	REMARKS		
	Sec.	Tp.	Rng.
NE of NE	..	..	..
NW of NE	..	..	..
SW of NE	..	..	..
SE of NE	..	..	..
NE of NW	..	..	..
NW of NW	..	..	..
SW of NW	..	..	..
SE of NW	..	..	..
NE of SW	..	..	..
NW of SW	..	..	..
SW of SW	..	..	..
SE of SW	..	..	..
NE of SE	..	..	..
NW of SE	..	..	..
SW of SE	..	..	..
SE of SE	..	..	..



DESCRIPTION				REMARKS
	Sec.	Tp.	Rng.	
NE of NE	..	..	..	
NW of NE	..	..	..	
SW of NE	..	..	..	
SE of NE	..	..	..	
NE of NW	..	..	..	
NW of NW	..	..	..	
SW of NW	..	..	..	
SE of NW	..	..	..	
NE of SW	..	..	..	
NW of SW	..	..	..	
SW of SW	..	..	..	
SE of SW	..	..	..	
NE of SE	..	..	..	
NW of SE	..	..	..	
SW of SE	..	..	..	
SE of SE	..	..	..	

List of Property Belonging to.....

In County of Clearwater, State of Idaho, Town-  
ship 36, Range 5, B. M.

DESCRIPTION				REMARKS
	Sec.	Tp.	Rng.	
NE of NE	..	..	..	
NW of NE	..	..	..	
SW of NE	13	36	5	Milwaukee Land Co.
SE of NE	13	36	5	Milwaukee Land Co.
NE of NW	..	..	..	
NW of NW	13	36	5	Clearwater Timber Co.
SW of NW	13	36	5	Clearwater Timber Co.
SE of NW	..	..	..	

NE of SW	..	..	..	
NW of SW	..	..	..	
SW of SW	13	36	5	Milwaukee Land Co.
SE of SW	..	..	..	
NE of SE	13	36	5	Milwaukee Land Co.
NW of SE	13	36	5	Milwaukee Land Co.
SW of SE	..	..	..	
SE of SE	..	..	..	

DESCRIPTION				REMARKS
	Sec.	Tp.	Rng.	
NE of NE	..	..	..	
NW of NE	..	..	..	
SW of NE	..	..	..	
SE of NE	..	..	..	
NE of NW	..	..	..	
NW of NW	..	..	..	
SW of NW	..	..	..	
SE of NW	..	..	..	
NE of SW	..	..	..	
NW of SW	..	..	..	
SW of SW	..	..	..	
SE of SW	..	..	..	
NE of SE	22	36	5	Clearwater Timber Co.
NW of SE	22	36	5	Clearwater Timber Co.
SW of SE	..	..	..	
SE of SE	..	..	..	

DESCRIPTION				REMARKS
	Sec.	Tp.	Rng.	
NE of NE	..	..	..	
NW of NE	..	..	..	
SW of NE	..	..	..	

SE of NE	..	..	..	
NE of NW	..	..	..	
NW of NW	..	..	..	
SW of NW	..	..	..	
SE of NW	..	..	..	
NE of SW	23	36	5	Clearwater Timber Co.
NW of SW	23	36	5	Clearwater Timber Co.
SW of SW	..	..	..	
SE of SW	..	..	..	
NE of SE	23	36	5	Milwaukee Land Co.
NW of SE	23	36	5	Milwaukee Land Co.
SW of SE	23	36	5	Milwaukee Land Co.
SE of SE	23	36	5	Milwaukee Land Co.

DESCRIPTION

REMARKS

Sec. Tp. Rng.

NE of NE	..	..	..	
NW of NE	..	..	..	
SW of NE	..	..	..	
SE of NE	..	..	..	
NE of NW	..	..	..	
NW of NW	..	..	..	
SW of NW	..	..	..	
SE of NW	..	..	..	
NE of SW	..	..	..	
NW of SW	..	..	..	
SW of SW	..	..	..	
SE of SW	..	..	..	
NE of SE	28	36	5	Western Land Co.
NW of SE	28	36	5	Clearwater Timber Co.
SW of SE	28	36	5	Clearwater Timber Co.
SE of SE	28	36	5	Clearwater Timber Co.

List of Property Belonging to.....  
 In County of Clearwater, State of Idaho, Town-  
 ship 37, Range 5, B. M.

DESCRIPTION	Sec. Tp. Rng.			REMARKS
NE of NE	..	..	..	
NW of NE	..	..	..	
SW of NE	..	..	..	
SE of NE	..	..	..	
NE of NW	..	..	..	
NW of NW	..	..	..	
SW of NW	..	..	..	
SE of NW	..	..	..	
NE of SW	6	37	5	Clearwater Timber Co.
NW of SW	6	37	5	Clearwater Timber Co.
SW of SW	6	37	5	Clearwater Timber Co.
SE of SW	6	37	5	Clearwater Timber Co.
NE of SE	6	37	5	Clearwater Timber Co.
NW of SE	6	37	5	Clearwater Timber Co.
SW of SE	6	37	5	Clearwater Timber Co.
SE of SE	6	37	5	Clearwater Timber Co.

DESCRIPTION	Sec. Tp. Rng.			REMARKS
NE of NE	7	37	5	Milwaukee Land Co.
NW of NE	7	37	5	Milwaukee Land Co.
SW of NE	7	37	5	Clearwater Timber Co.
SE of NE	7	37	5	Clearwater Timber Co.
NE of NW	..	..	..	
NW of NW	..	..	..	
SW of NW	..	..	..	
SE of NW	..	..	..	

NE of SW	..	..	..
NW of SW	..	..	..
SW of SW	..	..	..
SE of SW	..	..	..
NE of SE	..	..	..
NW of SE	..	..	..
SW of SE	..	..	..
SE of SE	..	..	..

DESCRIPTION	REMARKS			
	Sec.	Tp.	Rng.	
NE of NE	9	37	5	Clearwater Timber Co.
NW of NE	9	37	5	Clearwater Timber Co.
SW of NE	9	37	5	Clearwater Timber Co.
SE of NE	9	37	5	Clearwater Timber Co.
NE of NW	..	..	..	
NW of NW	..	..	..	
SW of NW	..	..	..	
SE of NW	..	..	..	
NE of SW	..	..	..	
NW of SW	..	..	..	
SW of SW	..	..	..	
SE of SW	..	..	..	
NE of SE	..	..	..	
NW of SE	..	..	..	
SW of SE	..	..	..	
SE of SE	..	..	..	

DESCRIPTION	REMARKS			
	Sec.	Tp.	Rng.	
NE of NE	..	..	..	
NW of NE	..	..	..	
SW of NE	..	..	..	

SE of NE	..	..	..
NE of NW	..	..	..
NW of NW	..	..	..
SW of NW	..	..	..
SE of NW	..	..	..
NE of SW	..	..	..
NW of SW	..	..	..
SW of SW	..	..	..
SE of SW	..	..	..
NE of SE	..	..	..
NW of SE	..	..	..
SW of SE	..	..	..
SE of SE	..	..	..

List of Property Belonging to.....

In County of Clearwater, State of Idaho, Town-  
ship 37, Range 5, B. M.

DESCRIPTION	REMARKS		
	Sec.	Tp.	Rng.
NE of NE	..	..	..
NW of NE	..	..	..
SW of NE	..	..	..
SE of NE	..	..	..
NE of NW	..	..	..
NW of NW	..	..	..
SW of NW	..	..	..
SE of NW	..	..	..
NE of SW	..	..	..
NW of SW	..	..	..
SW of SW	..	..	..
SE of SW	..	..	..
NE of SE	.	..	..
NW of SE	..	..	..

SW of SE	22	37	5	Milwaukee Land Co.
SE of SE	22	37	5	Milwaukee Land Co.

DESCRIPTION	REMARKS		
Sec. Tp. Rng.			
NE of NE 23 37 5	Clearwater Timber Co.		
NW of NE 23 37 5	Clearwater Timber Co.		
SW of NE 23 37 5	Clearwater Timber Co.		
SE of NE 23 37 5	Clearwater Timber Co.		
NE of NW .. ..			
NW of NW .. ..			
SW of NW .. ..			
SE of NW .. ..			
NE of SW .. ..			
NW of SW .. ..			
SW of SW 23 37 5	Milwaukee Land Co.		
SE of SW 23 37 5	Milwaukee Land Co.		
NE of SE .. ..			
NW of SE .. ..			
SW of SE .. ..			
SE of SE .. ..			

DESCRIPTION				REMARKS
Sec. Tp. Rng.				
NE of NE	4	37	5	Clearwater Timber Co.
NW of NE	4	37	5	Clearwater Timber Co.
SW of NE	4	37	5	Clearwater Timber Co.
SE of NE	4	37	5	Clearwater Timber Co.
NE of NW	..	..	..	
NW of NW	..	..	..	
SW of NW	..	..	..	
SE of NW	..	..	..	
NE of SW	4	37	5	Clearwater Timber Co.
NW of SW	4	37	5	Clearwater Timber Co.



SW of SW	4	37	5	Clearwater Timber Co.
SE of SW	4	37	5	Clearwater Timber Co.
NE of SE	4	37	5	Clearwater Timber Co.
NW of SE	4	37	5	Clearwater Timber Co.
SW of SE	4	37	5	Clearwater Timber Co.
SE of SE	4	37	5	Clearwater Timber Co.

DESCRIPTION				REMARKS
Sec. Tp. Rng.				
NE of NE	..	..	..	
NW of NE	..	..	..	
SW of NE	..	..	..	
SE of NE	..	..	..	
NE of NW	5	37	5	Clearwater Timber Co.
NW of NW	5	37	5	Clearwater Timber Co.
SW of NW	5	37	5	Clearwater Timber Co.
SE of NW	5	37	5	Clearwater Timber Co.
NE of SW	..	..	..	
NW of SW	..	..	..	
SW of SW	..	..	..	
SE of SW	..	..	..	
NE of SE	..	..	..	
NW of SE	..	..	..	
SW of SE	..	..	..	
SE of SE	..	..	..	

List of Property Belonging to.....

In County of Clearwater, State of Idaho, Town-  
ship 37, Range 5, B. M.

DESCRIPTION				REMARKS
Sec. Tp. Rng.				
NE of NE	..	..	..	
NW of NE	..	..	..	

SW of NE	..	..	..	
SE of NE	..	..	..	
NE of NW	30	37	5	Clearwater Timber Co.
NW of NW	30	37	5	Clearwater Timber Co.
SW of NW	30	37	5	Clearwater Timber Co.
SE of NW	30	37	5	Clearwater Timber Co.
NE of SW	..	..	..	
NW of SW	..	..	..	
SW of SW	..	..	..	
SE of SW	..	..	..	
NE of SE	..	..	..	
NW of SE	..	..	..	
SW of SE	..	..	..	
SE of SE	..	..	..	

DESCRIPTION				REMARKS
	Sec.	Tp.	Rng.	
NE of NE	12	37	5	Milwaukee Land Co.
NW of NE	12	37	5	Milwaukee Land Co.
SW of NE	12	37	5	Clearwater Timber Co.
SE of NE	12	37	5	Milwaukee Land Co.
NE of NW	..	..	..	
NW of NW	..	..	..	
SW of NW	..	..	..	
SE of NW	..	..	..	
NE of SW	..	..	..	
NW of SW	..	..	..	
SW of SW	..	..	..	
SE of SW	..	..	..	
NE of SE	..	..	..	
NW of SE	..	..	..	
SW of SE	..	..	..	
SE of SE	..	..	..	

DESCRIPTION	REMARKS		
	Sec.	Tp.	Rng.
NE of NE	..	..	..
NW of NE	..	..	..
SW of NE	..	..	..
SE of NE	..	..	..
NE of NW	15	37	5
NW of NW	15	37	5
SW of NW	15	37	5
SE of NW	15	37	5
NE of SW	..	..	..
NW of SW	..	..	..
SW of SW	..	..	..
SE of SW	..	..	...
NE of SE	..	..	..
NW of SE	..	..	..
SW of SE	..	..	..
SE of SE	..	..	..

DESCRIPTION	REMARKS		
	Sec.	Tp.	Rng.
NE of NE	..	..	..
NW of NE	..	..	..
SW of NE	..	..	..
SE of NE	..	..	..
NE of NW	19	37	5
NW of NW	..	..	..
SW of NW	19	37	5
SE of NW	19	37	5
NE of SW	..	..	..
NW of SW	19	37	5
SW of SW	..	..	..

SE of SW .. ..  
 NE of SE .. ..  
 NW of SE .. ..  
 SW of SE .. ..  
 SE of SE .. ..

List of Property Belonging to.....

In County of Clearwater, State of Idaho, Town-  
 ship 38, Range 5, B. M.

DESCRIPTION	Sec. Tp. Rng.			REMARKS
NE of NE	..	..	..	
NW of NE	..	..	..	
SW of NE	..	..	..	
SE of NE	..	..	..	
NE of NW	..	..	..	
NW of NW	..	..	..	
SW of NW	..	..	..	
SE of NW	..	..	..	
NE of SW	30	38	5	Milwaukee Land Co.
NW of SW	30	38	5	Milwaukee Land Co.
SW of SW	30	38	5	Milwaukee Land Co.
SE of SW	30	38	5	Milwaukee Land Co.
NE of SE	..	..	..	
NW of SE	..	..	..	
SW of SE	..	..	..	
SE of SE	..	..	..	

DESCRIPTION	Sec. Tp. Rng.			REMARKS
NE of NE	..	..	..	
NW of NE	..	..	..	
SW of NE	..	..	..	

SE of NE	..	..	..	
NE of NW	31	38	5	Milwaukee Land Co.
NW of NW	31	38	5	Milwaukee Land Co.
SW of NW	31	38	5	Milwaukee Land Co.
SE of NW	31	38	5	Milwaukee Land Co.
NE of SW	..	..	..	
NW of SW	..	..	..	
SW of SW	..	..	..	
SE of SW	..	..	..	
NE of SE	..	..	..	
NW of SE	..	..	..	
SW of SE	..	..	..	
SE of SE	..	..	..	

DESCRIPTION				REMARKS
	Sec.	Tp.	Rng.	
NE of NE	..	..	..	
NW of NE	..	..	..	
SW of NE	..	..	..	
SE of NE	..	..	..	
NE of NW	21	38	5	Clearwater Timber Co.
NW of NW	21	38	5	Clearwater Timber Co.
SW of NW	21	38	5	Clearwater Timber Co.
SE of NW	21	38	5	Clearwater Timber Co.
NE of SW	21	38	5	Clearwater Timber Co.
NW of SW	21	38	5	Clearwater Timber Co.
SW of SW	21	38	5	State of Idaho
SE of SW	21	38	5	State of Idaho
NE of SE	21	38	5	State of Idaho
NW of SE	21	38	5	Clearwater Timber Co.
SW of SE	21	38	5	Clearwater Timber Co.
SE of SE	21	38	5	Clearwater Timber Co.

DESCRIPTION				REMARKS
Sec. Tp. Rng.				
NE of NE	..	..	..	
NW of NE	..	..	..	
SW of NE	..	..	..	
SE of NE	..	..	..	
NE of NW	..	..	..	
NW of NW	..	..	..	
SW of NW	..	..	..	
SE of NW	..	..	..	
NE of SW	..	..	..	
NW of SW	..	..	..	
SW of SW	..	..	..	
SE of SW	..	..	..	
NE of SE	..	..	..	
NW of SE	..	..	..	
SW of SE	..	..	..	
SE of SE	..	..	..	

List of Property Belonging to.....  
 In County of Clearwater, State of Idaho, Town-  
 ship 38, Range 5, B. M.

DESCRIPTION				REMARKS
Sec. Tp. Rng.				
NE of NE	22	38	5	Clearwater Timber Co.
NW of NE	22	38	5	Clearwater Timber Co.
SW of NE	22	38	5	Clearwater Timber Co.
SE of NE	22	38	5	Clearwater Timber Co.
NE of NW	22	38	5	Clearwater Timber Co.
NW of NW	22	38	5	Clearwater Timber Co.
SW of NW	22	38	5	Clearwater Timber Co.
SE of NW	22	38	5	Clearwater Timber Co.

NE of SW	22	38	5	State of Idaho
NW of SW	22	38	5	State of Idaho
SW of SW	22	38	5	Clearwater Timber Co.
SE of SW	22	38	5	Clearwater Timber Co.
NE of SE	..	..	..	
NW of SE	..	..	..	
SW of SE	..	..	..	
SE of SE	..	..	..	

DESCRIPTION				REMARKS
	Sec.	Tp.	Rng.	
NE of NE	23	38	5	Clearwater Timber Co.
NW of NE	23	38	5	Clearwater Timber Co.
SW of NE	23	38	5	E. White
SE of NE	23	38	5	E. White
NE of NW	23	38	5	Clearwater Timber Co.
NW of NW	23	38	5	Clearwater Timber Co.
SW of NW	23	38	5	E. White
SE of NW	23	38	5	E. White
NE of SW	..	..	..	
NW of SW	..	..	..	
SW of SW	..	..	..	
SE of SW	..	..	..	
NE of SE	..	..	..	
NW of SE	..	..	..	
SW of SE	..	..	..	
SE of SE	..	..	..	

DESCRIPTION	REMARKS		
	Sec.	Tp.	Rng.
NE of NE	..	..	..
NW of NE	..	..	..
SW of NE	..	..	..



SE of NE	..	..	..	
NE of NW	..	..	..	
NW of NW	..	..	..	
SW of NW	..	..	..	
SE of NW	24	38	5	Milwaukee Land Co.
NE of SW	24	38	5	Milwaukee Land Co.
NW of SW	24	38	5	Milwaukee Land Co.
SW of SW	24	38	5	Clearwater Timber Co.
SE of SW	24	38	5	Clearwater Timber Co.
NE of SE	..	..	..	
NW of SE	..	..	..	
SW of SE	..	..	..	
SE of SE	..	..	..	

DESCRIPTION

REMARKS

Sec. Tp. Rng.

NE of NE	..	..	..	
NW of NE	..	..	..	
SW of NE	..	..	..	
SE of NE	..	..	..	
NE of NW	25	38	5	Clearwater Timber Co.
NW of NW	25	38	5	Clearwater Timber Co.
SW of NW	..	..	..	
SE of NW	..	..	..	
NE of SW	..	..	..	
NW of SW	..	..	..	
SW of SW	..	..	..	
SE of SW	..	..	..	
NE of SE	..	..	..	
NW of SE	..	..	..	
SW of SE	..	..	..	
SE of SE	..	..	..	

List of Property Belonging to.....  
 In County of Clearwater, State of Idaho, Town-  
 ship 38, Range 5, B. M.

DESCRIPTION				REMARKS
	Sec.	Tp.	Rng.	
NE of NE	33	38	5	State of Idaho
NW of NE	33	38	5	Clearwater Timber Co.
SW of NE	33	38	5	Clearwater Timber Co.
SE of NE	33	38	5	State of Idaho
NE of NW	33	38	5	Clearwater Timber Co.
NW of NW	..	..	..	
SW of NW	..	..	..	
SE of NW	33	38	5	Clearwater Timber Co.
NE of SW	..	..	..	
NW of SW	..	..	..	
SW of SW	..	..	..	
SE of SW	..	..	..	
NE of SE	..	..	..	
NW of SE	..	..	..	
SW of SE	..	..	..	
SE of SE	..	..	..	

DESCRIPTION				REMARKS
	Sec.	Tp.	Rng.	
NE of NE	..	..	..	
NW of NE	..	..	..	
SW of NE	..	..	..	
SE of NE	..	..	..	
NE of NW	..	..	..	
NW of NW	..	..	..	
SW of NW	..	..	..	
SE of NW	..	..	..	

NE of SW	..	..	..	
NW of SW	34	38	5	Clearwater Timber Co.
SW of SW	34	38	5	Clearwater Timber Co.
SE of SW	..	..	..	
NE of SE	..	..	..	
NW of SE	..	..	..	
SW of SE	..	..	..	
SE of SE	..	..	..	

DESCRIPTION				REMARKS
	Sec.	Tp.	Rng.	
NE of NE	..	..	..	
NW of NE	..	..	..	
SW of NE	..	..	..	
SE of NE	..	..	..	
NE of NW	13	38	5	Milwaukee Land Co.
NW of NW	13	38	5	Milwaukee Land Co.
SW of NW	13	38	5	Milwaukee Land Co.
SE of NW	13	38	5	Milwaukee Land Co.
NE of SW	13	38	5	Milwaukee Land Co.
NW of SW	13	38	5	Milwaukee Land Co.
SW of SW	13	38	5	Milwaukee Land Co.
SE of SW	13	38	5	Milwaukee Land Co.
NE of SE	..	..	..	
NW of SE	..	..	..	
SW of SE	..	..	..	
SE of SE	..	..	..	

DESCRIPTION	REMARKS		
Sec. Tp. Rng.			
NE of NE	..	..	..
NW of NE	..	..	..
SW of NE	..	..	..

SE of NE	..	..	..	
NE of NW	18	38	5	Wm. F. Kettenbach
NW of NW	18	38	5	Wm. F. Kettenbach
SW of NW	18	38	5	Clearwater Timber Co.
SE of NW	18	38	5	Clearwater Timber Co.
NE of SW	..	..	..	
NW of SW	..	..	..	
SW of SW	..	..	..	
SE of SW	..	..	..	
NE of SE	..	..	..	
NW of SE	..	..	..	
SW of SE	..	..	..	
SE of SE	..	..	..	

List of Property Belonging to.....

In County of Clearwater, State of Idaho, Township 39, Range 5, B. M.

DESCRIPTION				REMARKS
	Sec.	Tp.	Rng.	
NE of NE	..	..	..	
NW of NE	..	..	..	
SW of NE	..	..	..	
SE of NE	..	..	..	
NE of NW	8	39	5	Clearwater Timber Co.
NW of NW	8	39	5	Wm. F. Kettenbach
SW of NW	8	39	5	Clearwater Timber Co.
SE of NW	8	39	5	Clearwater Timber Co.
NE of SW	..	..	..	
NW of SW	..	..	..	
SW of SW	..	..	..	
SE of SW	..	..	..	
NE of SE	..	..	..	
NW of SE	..	..	..	

SW of SE .. ..

SE of SE .. ..

DESCRIPTION

REMARKS

Sec. Tp. Rng.

NE of NE .. ..

NW of NE .. ..

SW of NE 9 39 5 Clearwater Timber Co.

SE of NE .. ..

NE of NW .. ..

NW of NW .. ..

SW of NW .. ..

SE of NW 9 39 5 Clearwater Timber Co.

NE of SW .. ..

NW of SW .. ..

SW of SW .. ..

SE of SW .. ..

NE of SE 9 39 5 Clearwater Timber Co.

NW of SE 9 39 5 Clearwater Timber Co.

SW of NE .. ..

SE of SE .. ..

DESCRIPTION

REMARKS

Sec. Tp. Rng.

NE of NE .. ..

NW of NE .. ..

SW of NE .. ..

SE of NE .. ..

NE of NW .. ..

NW of NW .. ..

SW of NW .. ..

SE of NW .. ..

NE of SW .. ..

NW of SW .. ..

SW of SW	..	..	..
SE of SW	..	..	..
NE of SE	..	..	..
NW of SE	..	..	..
SW of SE	..	..	..
SE of SE	..	..	..

DESCRIPTION	REMARKS		
	Sec.	Tp.	Rng.
NE of NE	..	..	..
NW of NE	..	..	..
SW of NE	..	..	..
SE of NE	..	..	..
NE of NW	..	..	..
NW of NW	..	..	..
SW of NW	..	..	..
SE of NW	..	..	..
NE of SW	..	..	..
NW of SW	..	..	..
SW of SW	..	..	..
SE of SW	..	..	..
NE of SE	..	..	..
NW of SE	..	..	..
SW of SE	..	..	..
SE of SE	..	..	..

List of Property Belonging to.....

In County of Clearwater, State of Idaho, Township 40, Range 5, B. M.

DESCRIPTION	REMARKS		
	Sec.	Tp.	Rng.
NE of NE	..	..	..
NW of NE	..	..	..

SW of NE	..	..	..	
SE of NE	..	..	..	
NE of NW	10	40	5	Clearwater Timber Co.
NW of NW	10	40	5	Clearwater Timber Co.
SW of NW	10	40	5	Clearwater Timber Co.
SE of NW	10	40	5	Clearwater Timber Co.
NE of SW	..	..	..	
NW of SW	..	..	..	
SW of SW	..	..	..	
SE of SW	..	..	..	
NE of SE	..	..	..	
NW of SE	..	..	..	
SW of SE	..	..	..	
SE of SE	..	..	..	

DESCRIPTION

REMARKS

	Sec.	Tp.	Rng.	
NE of NE	12	40	5	Clearwater Timber Co.
NW of NE	12	40	5	Clearwater Timber Co.
SW of NE	12	40	5	Clearwater Timber Co.
SE of NE	12	40	5	Clearwater Timber Co.
NE of NW	..	..	..	
NW of NW	..	..	..	
SW of NW	..	..	..	
SE of NW	..	..	..	
NE of SW	..	..	..	
NW of SW	..	..	..	
SW of SW	..	..	..	
SE of SW	..	..	..	
NE of SE	..	..	..	
NW of SE	..	..	..	
SW of SE	..	..	..	
SE of SE	..	..	..	



DESCRIPTION				REMARKS
	Sec.	Tp.	Rng.	
NE of NE	13	40	5	Clearwater Timber Co.
NW of NE	13	40	5	Clearwater Timber Co.
SW of NE	13	40	5	Clearwater Timber Co.
SE of NE	13	40	5	Clearwater Timber Co.
NE of NW	..	..	..	
NW of NW	..	..	..	
SW of NW	..	..	..	
SE of NW	..	..	..	
NE of SW	..	..	..	
NW of SW	..	..	..	
SW of SW	..	..	..	
SE of SW	..	..	..	
NE of SE	13	40	5	Clearwater Timber Co.
NW of SE	13	40	5	Clearwater Timber Co.
SW of SE	13	40	5	Clearwater Timber Co.
SE of SE	13	40	5	Clearwater Timber Co.

DESCRIPTION				REMARKS
	Sec.	Tp.	Rng.	
NE of NE	..	..	..	
NW of NE	20	40	5	Milwaukee Land Co.
SW of NE	20	40	5	Milwaukee Land Co.
SE of NE	..	..	..	
NE of NW	..	..	..	
NW of NW	..	..	..	
SW of NW	..	..	..	
SE of NW	..	..	..	
NE of SW	..	..	..	
NW of SW	..	..	..	
SW of SW	..	..	..	

SE of SW	..	..	..	
NE of SE	..	..	..	
NW of SE	20	40	5	Milwaukee Land Co.
SW of SE	20	40	5	Milwaukee Land Co.
SE of SE	..	..	..	

List of Property Belonging to.....

In County of Clearwater, State of Idaho, Town-  
ship 40, Range 5, B. M.

DESCRIPTION				REMARKS
	Sec.	Tp.	Rng.	
NE of NE	..	..	..	
NW of NE	..	..	..	
SW of NE	..	..	..	
SE of NE	..	..	..	
NE of NW	30	40	5	Clearwater Timber Co.
NW of NW	30	40	5	Clearwater Timber Co.
SW of NW	30	40	5	Clearwater Timber Co.
SE of NW	30	40	5	Clearwater Timber Co.
NE of SW	..	..	..	
NW of SW	..	..	..	
SW of SW	..	..	..	
SE of SW	..	..	..	
NE of SE	..	..	..	
NW of SE	..	..	..	
SW of SE	..	..	..	
SE of SE	..	..	..	

DESCRIPTION				REMARKS
	Sec.	Tp.	Rng.	
NE of NE	..	..	..	
NW of NE	..	..	..	
SW of NE	..	..	..	

SE of NE	..	..	..
NE of NW	..	..	..
NW of NW	..	..	..
SW of NW	..	..	..
SE of NW	..	..	..
NE of SW	..	..	..
NW of SW	..	..	..
SW of SW	..	..	..
SE of SW	..	..	..
NE of SE	..	..	..
NW of SE	..	..	..
SW of SE	..	..	..
SE of SE	..	..	..

## DESCRIPTION

## REMARKS

Sec. Tp. Rng.

NE of NE	..	..	..
NW of NE	..	..	..
SW of NE	..	..	..
SE of NE	..	..	..
NE of NW	..	..	..
NW of NW	..	..	..
SW of NW	..	..	..
SE of NW	..	..	..
NE of SW	..	..	..
NW of SW	..	..	..
SW of SW	..	..	..
SE of SW	..	..	..
NE of SE	..	..	..
NW of SE	..	..	..
SW of SE	..	..	..
SE of SE	..	..	..

DESCRIPTION			REMARKS
	Sec.	Tp. Rng.	
NE of NE	..	..	..
NW of NE	..	..	..
SW of NE	..	..	..
SE of NE	..	..	..
NE of NW	..	..	..
NW of NW	..	..	..
SW of NW	..	..	..
SE of NW	..	..	..
NE of SW	..	..	..
NW of SW	..	..	..
SW of SW	..	..	..
SE of SW	..	..	..
NE of SE	..	..	..
NW of SE	..	..	..
SW of SE	..	..	..
SE of SE	..	..	..

List of Property Belonging to.....  
 In County of Clearwater, State of Idaho, Town-  
 ship 40, Range 5, B. M.

DESCRIPTION			REMARKS
	Sec.	Tp. Rng.	
NE of NE	..	..	..
NW of NE	..	..	..
SW of NE	..	..	..
SE of NE	..	..	..
NE of NW	..	..	..
NW of NW	..	..	..
SW of NW	..	..	..
SE of NW	..	..	..

734 *Dexter Horton Trust & Savings Bank vs.*

NE of SW	21	40	5	Milwaukee Land Co.
NW of SW	21	40	5	Milwaukee Land Co.
SW of SW	21	40	5	Milwaukee Land Co.
SE of SW	21	40	5	Milwaukee Land Co.
NE of SE	..	..	..	
NW of SE	..	..	..	
SW of SE	..	..	..	
SE of SE	..	..	..	

DESCRIPTION				REMARKS
Sec. Tp. Rng.				
NE of NE	..	..	..	
NW of NE	..	..	..	
SW of NE	..	..	..	
SE of NE	..	..	..	
NE of NW	..	..	..	
NW of NW	..	..	..	
SW of NW	..	..	..	
SE of NW	..	..	..	
NE of SW	..	..	..	
NW of SW	..	..	..	
SW of SW	..	..	..	
SE of SW	..	..	..	
NE of SE	24	40	5	State of Idaho
NW of SE	24	40	5	State of Idaho
SW of SE	24	40	5	Milwaukee Land Co.
SE of SE	24	40	5	Milwaukee Land Co.

DESCRIPTION				REMARKS
Sec. Tp. Rng.				
NE of NE	25	40	5	Milwaukee Land Co.
NW of NE	25	40	5	Milwaukee Land Co.
SW of NE	..	..	..	

SE of NE	..	..	..
NE of NW	..	..	..
NW of NW	..	..	..
SW of NW	..	..	..
SE of NW	..	..	..
NE of SW	..	..	..
NW of SW	..	..	..
SW of SW	..	..	..
SE of SW	..	..	..
NE of SE	..	..	..
NW of SE	..	..	..
SW of SE	..	..	..
SE of SE	..	..	..

DESCRIPTION

REMARKS

Sec. Tp. Rng.

NE of NE	..	..	..	
NW of NE	..	..	..	
SW of NE	..	..	..	
SE of NE	..	..	..	
NE of NW	..	..	..	
NW of NW	..	..	..	
SW of NW	..	..	..	
SE of NW	..	..	..	
NE of SW	28	40	5	Milwaukee Land Co.
NW of SW	..	..	..	
SW of SW	..	..	..	
SE of SW	..	..	..	
NE of SE	28	40	5	Milwaukee Land Co.
NW of SE	28	40	5	Milwaukee Land Co.
SW of SE	..	..	..	
SE of SE	..	..	..	

List of Property Belonging to.....

In County of Clearwater, State of Idaho, Town-  
ship 37, Range 6, B. M.

DESCRIPTION				REMARKS
	Sec.	Tp.	Rng.	
NE of NE	29	37	6	Milwaukee Land Co.
NW of NE	29	37	6	Milwaukee Land Co.
SW of NE	29	37	6	Milwaukee Land Co.
SE of NE	29	37	6	Milwaukee Land Co.
NE of NW	29	37	6	Milwaukee Land Co.
NW of NW	..	..	..	
SW of NW	..	..	..	
SE of NW	29	37	6	Milwaukee Land Co.
NE of SW	..	..	..	
NW of SW	..	..	..	
SW of SW	..	..	..	
SE of SW	..	..	..	
NE of SE	..	..	..	
NW of SE	..	..	..	
SW of SE	..	..	..	
SE of SE	..	..	..	

DESCRIPTION	REMARKS		
	Sec.	Tp.	Rng.
NE of NE	..	..	..
NW of NE	..	..	..
SW of NE	..	..	..
SE of NE	..	..	..
NE of NW	..	..	..
NW of NW	..	..	..
SW of NW	..	..	..
SE of NW	..	..	..



NE of SW	..	..	..
NW of SW	..	..	..
SW of SW	..	..	..
SE of SW	..	..	..
NE of SE	..	..	..
NW of SE	..	..	..
SW of SE	..	..	..
SE of SE	..	..	..

DESCRIPTION

REMARKS

Sec. Tp. Rng.

NE of NE	..	..	..
NW of NE	..	..	..
SW of NE	..	..	..
SE of NE	..	..	..
NE of NW	..	..	..
NW of NW	..	..	..
SW of NW	..	..	..
SE of NW	..	..	..
NE of SW	..	..	..
NW of SW	..	..	..
SW of SW	..	..	..
SE of SW	..	..	..
NE of SE	..	..	..
NW of SE	..	..	..
SW of SE	..	..	..
SE of SE	..	..	..

DESCRIPTION

REMARKS

Sec. Tp. Rng.

NE of NE	..	..	..
NW of NE	..	..	..
SW of NE	..	..	..

SE of NE	..	..	..
NE of NW	..	..	..
NW of NW	..	..	..
SW of NW	..	..	..
SE of NW	..	..	..
NE of SW	..	..	..
NW of SW	..	..	..
SW of SW	..	..	..
SE of SW	..	..	..
NE of SE	..	..	..
NW of SE	..	..	..
SW of SE	..	..	..
SE of SE	..	..	..

List of Property Belonging to.....

In County of Clearwater, State of Idaho, Town-  
ship 37, Range 6, B. M.

DESCRIPTION				REMARKS
	Sec.	Tp.	Rng.	
NE of NE	22	37	6	Milwaukee Land Co.
NW of NE	22	37	6	Milwaukee Land Co.
SW of NE	22	37	6	Milwaukee Land Co.
SE of NE	22	37	6	Milwaukee Land Co.
NE of NW	22	37	6	Milwaukee Land Co.
NW of NW	..	..	..	
SW of NW	..	..	..	
SE of NW	22	37	6	Milwaukee Land Co.
NE of SW	22	37	6	Milwaukee Land Co.
NW of SW	22	37	6	Milwaukee Land Co.
SW of SW	..	..	..	
SE of SW	..	..	..	
NE of SE	22	37	6	Milwaukee Land Co.

NW of SE	22	37	6	Milwaukee Land Co.
SW of SE	..	..	..	
SE of SE	..	..	..	

DESCRIPTION	Sec.	Tp.	Rng.	REMARKS
NE of NE	..	..	..	
NW of NE	..	..	..	
SW of NE	..	..	..	
SE of NE	..	..	..	
NE of NW	23	37	6	Clearwater Timber Co.
NW of NW	..	..	..	
SW of NW	23	37	6	Milwaukee Land Co.
SE of NW	..	..	..	
NE of SW	..	..	..	
NW of SW	23	37	6	Milwaukee Land Co.
SW of SW	..	..	..	
SE of SW	..	..	..	
NE of SE	..	..	..	
NW of SE	..	..	..	
SW of SE	..	..	..	
SE of SE	..	..	..	

DESCRIPTION	Sec.	Tp.	Rng.	REMARKS
NE of NE	..	..	..	
NW of NE	..	..	..	
SW of NE	..	..	..	
SE of NE	..	..	..	
NE of NW	..	..	..	
NW of NW	28	37	6	Milwaukee Land Co.
SW of NW	28	37	6	Milwaukee Land Co.
SE of NW	..	..	..	
NE of SW	..	..	..	

NW of SW	..	..	..
SW of SW	..	..	..
SE of SW	..	..	..
NE of SE	..	..	..
NW of SE	..	..	..
SW of SE	..	..	..
SE of SE	..	..	..

## DESCRIPTION

## REMARKS

Sec. Tp. Rng.

NE of NE	..	..	..
NW of NE	..	..	..
SW of NE	..	..	..
SE of NE	..	..	..
NE of NW	..	..	..
NW of NW	..	..	..
SW of NW	..	..	..
SE of NW	..	..	..
NE of SW	..	..	..
NW of SW	..	..	..
SW of SW	..	..	..
SE of SW	..	..	..
NE of SE	..	..	..
NW of SE	..	..	..
SW of SE	..	..	..
SE of SE	..	..	..

List of Property Belonging to.....

In County of Clearwater, State of Idaho, Town-  
ship 37 N., Range 6 E., B. M.

## DESCRIPTION

## REMARKS

Sec. Tp. Rng.

NE of NE	..	..	..
NW of NE	..	..	..

SW of NE	..	..	..	
SE of NE	..	..	..	
NE of NW	..	..	..	
NW of NW	..	..	..	
SW of NW	..	..	..	
SE of NW	..	..	..	
NE of SW	8	37	6	Milwaukee Land Co.
NW of SW	..	..	..	
SW of SW	..	..	..	
SE of SW	8	37	6	Milwaukee Land Co.
NE of SE	..	..	..	
NW of SE	8	37	6	Milwaukee Land Co.
SW of SE	8	37	6	Milwaukee Land Co.
SE of SE	..	..	..	

DESCRIPTION				REMARKS
	Sec.	Tp.	Rng.	
NE of NE	..	..	..	
NW of NE	..	..	..	
SW of NE	..	..	..	
SE of NE	..	..	..	
NE of NW	..	..	..	
NW of NW	19	37	6	Milwaukee Land Co.
SW of NW	19	37	6	Milwaukee Land Co.
SE of NW	19	37	6	Milwaukee Land Co.
NE of SW	..	..	..	
NW of SW	..	..	..	
SW of SW	..	..	..	
SE of SW	19	37	6	Clearwater Timber Co.
NE of SE	..	..	..	
NW of SE	..	..	..	
SW of SE	..	..	..	
SE of SE	..	..	..	

DESCRIPTION				REMARKS
	Sec.	Tp.	Rng.	
NE of NE	..	..	..	
NW of NE	15	37	6	Wm. F. Kettenbach
SW of NE	..	..	..	
SE of NE	15	37	6	Milwaukee Land Co.
NE of NW	..	..	..	
NW of NW	..	..	..	
SW of NW	..	..	..	
SE of NW	..	..	..	
NE of SW	15	37	6	Milwaukee Land Co.
NW of SW	..	..	..	
SW of SW	..	..	..	
SE of SW	15	37	6	Milwaukee Land Co.
NE of SE	15	37	6	Milwaukee Land Co.
NW of SE	15	37	6	Milwaukee Land Co.
SW of SE	15	37	6	Milwaukee Land Co.
SE of SE	15	37	6	Milwaukee Land Co.

DESCRIPTION				REMARKS
	Sec.	Tp.	Rng.	
NE of NE	..	..	..	
NW of NE	..	..	..	
SW of NE	..	..	..	
SE of NE	..	..	..	
NE of NW	..	..	..	
NW of NW	..	..	..	
SW of NW	..	..	..	
SE of NW	..	..	..	
NE of SW	20	37	6	Clearwater Timber Co.
NW of SW	20	37	6	Clearwater Timber Co.
SW of SW	20	37	6	Clearwater Timber Co.

SE of SW	20	37	6	Clearwater Timber Co.
NE of SE	..	..	..	
NW of SE	..	..	..	
SW of SE	..	..	..	
SE of SE	..	..	..	

List of Property Belonging to.....

In County of Clearwater, State of Idaho, Town-  
ship 37 N., Range 6 E., B. M.

DESCRIPTION				REMARKS
	Sec.	Tp.	Rng.	
NE of NE	..	..	..	
NW of NE	..	..	..	
SW of NE	..	..	..	
SE of NE	..	..	..	
NE of NW	1	37	6	Clearwater Timber Co.
NW of NW	1	37	6	Clearwater Timber Co.
SW of NW	1	37	6	Clearwater Timber Co.
SE of NW	1	37	6	Clearwater Timber Co.
NE of SW	..	..	..	
NW of SW	..	..	..	
SW of SW	..	..	..	
SE of SW	..	..	..	
NE of SE	..	..	..	
NW of SE	..	..	..	
SW of NE	..	..	..	
SE of SE	..	..	..	

DESCRIPTION				REMARKS
	Sec.	Tp.	Rng.	
NE of NE	2	37	6	Milwaukee Land Co.
NW of NE	2	37	6	Milwaukee Land Co.
SW of NE	2	37	6	Milwaukee Land Co.



SE of NE	2	37	6	Milwaukee Land Co.
NE of NW	2	37	6	Milwaukee Land Co.
NW of NW	2	37	6	Milwaukee Land Co.
SW of NW	2	37	6	Milwaukee Land Co.
SE of NW	2	37	6	Milwaukee Land Co.
NE of SW	2	37	6	Clearwater Timber Co.
NW of SW	2	37	6	Clearwater Timber Co.
SW of SW	2	37	6	Clearwater Timber Co.
SE of SW	2	37	6	Clearwater Timber Co.
NE of SE	..	..	..	
NW of SE	..	..	..	
SW of SE	..	..	..	
SE of SE	..	..	..	

DESCRIPTION				REMARKS
	Sec.	Tp.	Rng.	
NE of NE	3	37	6	Milwaukee Land Co.
NW of NE	3	37	6	Milwaukee Land Co.
SW of NE	3	37	6	Milwaukee Land Co.
SE of NE	3	37	6	Milwaukee Land Co.
NE of NW	..	..	..	
NW of NW	..	..	..	
SW of NW	..	..	..	
SE of NW	..	..	..	
NE of SW	..	..	..	
NW of SW	..	..	..	
SW of SW	..	..	..	
SE of SW	..	..	..	
NE of SE	..	..	..	
NW of SE	..	..	..	
SW of SE	..	..	..	
SE of SE	..	..	..	

DESCRIPTION	REMARKS		
Sec. Tp. Rng.			
NE of NE 6 37 6	Clearwater Timber Co.		
NW of NE 6 37 6	Clearwater Timber Co.		
SW of NE 6 37 6	Clearwater Timber Co.		
SE of NE 6 37 6	Clearwater Timber Co.		
NE of NW 6 37 6	Clearwater Timber Co.		
NW of NW 6 37 6	Clearwater Timber Co.		
SW of NW 6 37 6	Clearwater Timber Co.		
SE of NW 6 37 6	Clearwater Timber Co.		
NE of SW .. ..			
NW of SW .. ..			
SW of SW .. ..			
SE of SW .. ..			
NE of SE .. ..			
NW of SE .. ..			
SW of SE .. ..			
SE of SE .. ..			

List of Property Belonging to.....

In County of Clearwater, State of Idaho, Town-  
ship 38, Range 6, B. M.

DESCRIPTION	REMARKS		
Sec. Tp. Rng.			
NE of NE .. ..			
NW of NE .. ..			
SW of NE .. ..			
SE of NE .. ..			
NE of NW 32 38 6	Clearwater Timber Co.		
NW of NW 32 38 6	Clearwater Timber Co.		
SW of NW 32 38 6	Clearwater Timber Co.		
SE of NW 32 38 6	Clearwater Timber Co.		

NE of SW	32	38	6	Clearwater Timber Co.
NW of SW	32	38	6	Clearwater Timber Co.
SW of SW	32	38	6	Clearwater Timber Co.
SE of SW	32	38	6	Clearwater Timber Co.
NE of SE	.	..	..	
NW of SE	..	..	..	
SW of SE	..	..	..	
SE of SE	..	..	..	

DESCRIPTION	REMARKS		
	Sec.	Tp.	Rng.
NE of NE	..	..	..
NW of NE	..	..	..
SW of NE	..	..	..
SE of NE	..	..	..
NE of NW	..	..	..
NW of NW	..	..	..
SW of NW	..	..	..
SE of NW	..	..	..
NE of SW	..	..	..
NW of SW	..	..	..
SW of SW	..	..	..
SE of SW	..	..	..
NE of SE	..	..	..
NW of SE	..	..	..
SW of SE	..	..	..
SE of SE	..	..	..

DESCRIPTION	REMARKS		
	Sec.	Tp.	Rng.
NE of NE	..	..	..
NW of NE	..	..	..
SW of NE	..	..	..
SE of NE	..	..	..

NE of NW	..	..	..
NW of NW	..	..	..
SW of NW	..	..	..
SE of NW	..	..	..
NE of SW	..	..	..
NW of SW	..	..	..
SW of SW	..	..	..
SE of SW	..	..	..
NE of SE	..	..	..
NW of SE	..	..	..
SW of SE	..	..	..
SE of SE	..	..	..

DESCRIPTION

REMARKS

Sec. Tp. Rng.

NE of NE	..	..	..
NW of NE	..	..	..
SW of NE	..	..	..
SE of NE	..	..	..
NE of NW	..	..	..
NW of NW	..	..	..
SW of NW	..	..	..
SE of NW	..	..	..
NE of SW	..	..	..
NW of SW	..	..	..
SW of SW	..	..	..
SE of SW	..	..	..
NE of SE	..	..	..
NW of SE	..	..	..
SW of SE	..	..	..
SE of SE	..	..	..

List of Property Belonging to.....  
 In County of Clearwater, State of Idaho, Town-  
 ship 40, Range 6, B. M.

DESCRIPTION	REMARKS			
	Sec.	Tp.	Rng.	
NE of NE	4	40	6	Clearwater Timber Co.
NW of NE	4	40	6	Clearwater Timber Co.
SW of NE	4	40	6	Clearwater Timber Co.
SE of NE	4	40	6	Clearwater Timber Co.
NE of NW	4	40	6	Clearwater Timber Co.
NW of NW	4	40	6	Clearwater Timber Co.
SW of NW	4	40	6	Clearwater Timber Co.
SE of NW	4	40	6	Clearwater Timber Co.
NE of SW	..	..	..	
NW of SW	..	..	..	
SW of SW	..	..	..	
SE of SW	..	..	..	
NE of SE	..	..	..	
NW of SE	..	..	..	
SW of SE	..	..	..	
SE of SE	..	..	..	

DESCRIPTION	REMARKS		
	Sec.	Tp.	Rng.
NE of NE	..	..	..
NW of NE	..	..	..
SW of NE	..	..	..
SE of NE	..	..	..
NE of NW	..	..	..
NW of NW	..	..	..
SW of NW	..	..	..
SE of NW	..	..	..

NE of SW	..	..	..	
NW of SW	..	..	..	
SW of SW	..	..	..	
SE of SW	..	..	..	
NE of SE	7	40	6	Clearwater Timber Co.
NW of SE	7	40	6	Clearwater Timber Co.
SW of SE	7	40	6	Clearwater Timber Co.
SE of SE	7	40	6	Clearwater Timber Co.

DESCRIPTION	REMARKS		
Sec. Tp. Rng.			
NE of NE	..	..	..
NW of NE	..	..	..
SW of NE	..	..	..
SE of NE	..	..	..
NE of NW	..	..	..
NW of NW	..	..	..
SW of NW	..	..	..
SE of NW	..	..	..
NE of SW	..	..	..
NW of SW	..	..	..
SW of SW	..	..	..
SE of SW	..	..	..
NE of SE	..	..	..
NW of SE	..	..	..
SW of SE	..	..	..
SE of SE	..	..	..

DESCRIPTION	REMARKS		
	Sec.	Tp.	Rng.
NE of NE	..	..	..
NW of NE	..	..	..
SW of NE	..	..	..

SE of NE	..	..	..
NE of NW	..	..	..
NW of NW	..	..	..
SW of NW	..	..	..
SE of NW	..	..	..
NE of SW	..	..	..
NW of SW	..	..	..
SW of SW	..	..	..
SE of SW	..	..	..
NE of SE	..	..	..
NW of SE	..	..	..
SW of SE	..	..	..
SE of SE	..	..	..



DEFENDANT'S EXHIBIT NO. 40.

IN THE DISTRICT COURT OF THE UNITED  
STATES FOR THE DISTRICT OF IDAHO,  
CENTRAL DIVISION.

Dexter Horton Trust & Savings Bank,  
a corporation of the State of Wash-  
ington,

Plaintiff,

vs.

The County of Clearwater, of the  
State of Idaho, and Oren D. Crock-  
ett, as Treasurer of said County,  
Defendants.

*Certificate.*

State of Idaho,  
County of Ada,  
State Board of Land Commissioners,  
Office of the Register.

ss.

I, Heber Q. Hale, the duly appointed, qualified  
and acting Register of the State Board of Land Com-  
missioners of the State of Idaho, aforesaid, do hereby  
certify:

That I have examined the records of the said State  
Board of Land Commissioners of the State of Idaho,  
with reference to the status of the following de-  
scribed lands, situate in the County of Clearwater  
and the State of Idaho, to-wit:

Sub-Division	Section	Township	Range
NW $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ NW $\frac{1}{4}$	27	38 N.	1 W., B. M.
NE $\frac{1}{4}$ SE $\frac{1}{4}$	34	38 N.	1 E., B. M.
Lots 1 and 2	35	38 N.	1 E., B. M.
E $\frac{1}{2}$ SE $\frac{1}{4}$	1	39 N.	1 E., B. M.
All that portion of Lot 4 and SW $\frac{1}{4}$ NW $\frac{1}{4}$ lying East of boundary between Latah and Clearwater Counties.	3	39 N.	1 E., B. M.
NE $\frac{1}{4}$ NE $\frac{1}{4}$	12	39 N.	1 E., B. M.
All that portion of SW $\frac{1}{4}$ SW $\frac{1}{4}$ lying East of the boundary between Latah and Clearwater Counties.	34	41 N.	1 E., B. M.
SW $\frac{1}{4}$	5	38 N.	2 E., B. M.
NE $\frac{1}{4}$ SE $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$	22	38 N.	2 E., B. M.
NW $\frac{1}{4}$ SW $\frac{1}{4}$	23	38 N.	2 E., B. M.
Lots 4 and 5 and SW $\frac{1}{4}$ NW $\frac{1}{4}$	2	40 N.	2 E., B. M.
S $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$	22	40 N.	2 E., B. M.
SE $\frac{1}{4}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$	23	40 N.	2 E., B. M.

E $\frac{1}{2}$ NE $\frac{1}{4}$	33	40 N.	2 E.,	B. M.
NW $\frac{1}{4}$ SE $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$	11	37 N.	3 E.,	B. M.
NE $\frac{1}{4}$ NE $\frac{1}{2}$	28	37 N.	3 E.,	B. M.
NE $\frac{1}{4}$ NE $\frac{1}{4}$	29	37 N.	3 E.,	B. M.
Lots 3 and 4	2	38 N.	3 E.,	B. M.
Lot 1	3	38 N.	3 E.,	B. M.
Lot 7	6	38 N.	3 E.,	B. M.
SE $\frac{1}{4}$ NW $\frac{1}{4}$	8	38 N.	3 E.,	B. M.
SE $\frac{1}{4}$ SW $\frac{1}{4}$	9	38 N.	3 E.,	B. M.
SW $\frac{1}{4}$ NW $\frac{1}{4}$	14	38 N.	3 E.,	B. M.
S $\frac{1}{2}$ NW $\frac{1}{4}$	15	38 N.	3 E.,	B. M.
Lots 1 and 2 and E $\frac{1}{2}$ NW $\frac{1}{4}$	18	38 N.	3 E.,	B. M.
Lots 7, 8 and 9	22	38 N.	3 E.,	B. M.
Lots 1, 2, 3 and 4	28	38 N.	3 E.,	B. M.
Lot 2	27	38 N.	3 E.,	B. M.
N $\frac{1}{2}$ S $\frac{1}{2}$ and Lots 1, 2, 3, 4, 5, 6, 7 and 8	29	38 N.	3 E.,	B. M.
Lots 1, 2, 3, 4, 5, 6, 7 and 8	30	38 N.	3 E.,	B. M.
SW $\frac{1}{4}$ NW $\frac{1}{4}$	5	34 N.	4 E.,	B. M.

Sub-Division	Section	Township	Range
S $\frac{1}{2}$ SE $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$	35	35 N.	4 E., B. M.
E $\frac{1}{2}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ SE	7	38 N.	4 E., B. M.
SW $\frac{1}{4}$	8	38 N.	4 E., B. M.
Lot 3	17	39 N.	4 E., B. M.
NE $\frac{1}{4}$ SE $\frac{1}{4}$	25	39 N.	4 E., B. M.
S $\frac{1}{2}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$	5	38 N.	5 E., B. M.
W $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$	8	38 N.	5 E., B. M.
S $\frac{1}{2}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$	9	38 N.	5 E., B. M.
SE $\frac{1}{4}$ NE $\frac{1}{4}$	17	39 N.	5 E., B. M.
NE $\frac{1}{4}$ NE $\frac{1}{4}$	26	40 N.	5 E., B. M.
SW $\frac{1}{4}$ NW $\frac{1}{4}$	27	40 N.	5 E., B. M.
SE $\frac{1}{4}$ NW $\frac{1}{4}$	29	40 N.	5 E., B. M.
NW $\frac{1}{4}$ NW $\frac{1}{4}$	16	41 N.	5 E., B. M.
NW $\frac{1}{4}$ NW $\frac{1}{4}$	17	41 N.	5 E., B. M.
N $\frac{1}{2}$ SW $\frac{1}{4}$	8	38 N.	6 E., B. M.
NW $\frac{1}{4}$ NW $\frac{1}{4}$	24	38 N.	6 E., B. M.
NW $\frac{1}{4}$	16	39 N.	6 E., B. M.

and that the said lands, and all thereof, are included in grants to or selections by the State of Idaho approved prior to January 1st, 1915, and that no deed, patent, or other conveyance of said lands, or any part thereof, was executed and delivered by the State of Idaho, prior to said last mentioned date; that said lands and all thereof belonged to the State of Idaho on the said 1st day of January, 1915.  
I further certify:

That I have examined the records of the State Board of Land Commissioners of the State of Idaho, with reference to the following described lands, situate in the County of Clearwater and the State of Idaho, to-wit:

Sub-Division.	Section	Township	Range	Certificate of Sale Number.
NE $\frac{1}{4}$ NE $\frac{1}{4}$	27	38 N.	1 W., B. M.	2550
SW $\frac{1}{4}$ NE $\frac{1}{4}$	27	38 N.	1 W., B. M.	1759
SE $\frac{1}{4}$ NE $\frac{1}{4}$	27	38 N.	1 W., B. M.	2472
NE $\frac{1}{4}$ NW $\frac{1}{4}$	27	38 N.	1 W., B. M.	2336
SE $\frac{1}{4}$ NW $\frac{1}{4}$	27	38 N.	1 W., B. M.	2337
NE $\frac{1}{4}$ SW $\frac{1}{4}$	27	38 N.	1 W., B. M.	1236
NW $\frac{1}{4}$ SW $\frac{1}{4}$	27	38 N.	1 W., B. M.	1236

SW $\frac{1}{4}$ SW $\frac{1}{4}$	27	38 N.	1 W., B. M.	1236
SE $\frac{1}{4}$ SW $\frac{1}{4}$	27	38 N.	1 W., B. M.	1236
NW $\frac{1}{4}$ SE $\frac{1}{4}$	22	38 N.	2 E., B. M.	2461
NW $\frac{1}{4}$ NW $\frac{1}{4}$	23	38 N.	2 E., B. M.	2244
SW $\frac{1}{4}$ NW $\frac{1}{4}$	23	38 N.	2 E., B. M.	2245
NW $\frac{1}{4}$ NW $\frac{1}{4}$	32	38 N.	2 E., B. M.	2246
NE $\frac{1}{4}$ SE $\frac{1}{4}$	32	38 N.	2 E., B. M.	2247
SE $\frac{1}{4}$ SE $\frac{1}{4}$	32	38 N.	2 E., B. M.	2248
NE $\frac{1}{4}$ SW $\frac{1}{4}$	33	38 N.	2 E., B. M.	2249
NW $\frac{1}{4}$ SW $\frac{1}{4}$	33	38 N.	2 E., B. M.	1757
SW $\frac{1}{4}$ SW	33	38 N.	2 E., B. M.	1758
SE $\frac{1}{4}$ SW $\frac{1}{4}$	33	38 N.	2 E., B. M.	2250
NE $\frac{1}{4}$ SE $\frac{1}{4}$	33	38 N.	2 E., B. M.	2251
NW $\frac{1}{4}$ SE $\frac{1}{4}$	33	38 N.	2 E., B. M.	2252
SW $\frac{1}{4}$ SE $\frac{1}{4}$	33	38 N.	2 E., B. M.	2253
SE $\frac{1}{4}$ NE $\frac{1}{4}$	7	37 N.	3 E., B. M.	2254
NE $\frac{1}{4}$ NE $\frac{1}{4}$	8	37 N.	3 E., B. M.	2328
NW $\frac{1}{4}$ NE $\frac{1}{4}$	8	37 N.	3 E., B. M.	2329

SW $\frac{1}{4}$ NW $\frac{1}{4}$	8	37 N.	3 E., B. M.	2255
NE $\frac{1}{4}$ NW $\frac{1}{4}$	9	37 N.	3 E., B. M.	2330
NW $\frac{1}{4}$ NW $\frac{1}{4}$	9	37 N.	3 E., B. M.	2331
NE $\frac{1}{4}$ SE $\frac{1}{4}$	11	37 N.	3 E., B. M.	2334
SW $\frac{1}{4}$ NE $\frac{1}{4}$	11	37 N.	3 E., B. M.	2332
SE $\frac{1}{4}$ NE $\frac{1}{4}$	11	37 N.	3 E., B. M.	2333
SW $\frac{1}{4}$ NE $\frac{1}{4}$	36	35 N.	4 E., B. M.	5334
NE $\frac{1}{4}$ NW $\frac{1}{4}$	36	35 N.	4 E., B. M.	5335
SE $\frac{1}{4}$ NW $\frac{1}{4}$	36	35 N.	4 E., B. M.	5336
NE $\frac{1}{4}$ SW $\frac{1}{4}$	36	35 N.	4 E., B. M.	5337
Sub-Division.	Section	Township	Range	Certificate of Sale Number.
NW $\frac{1}{4}$ SW $\frac{1}{4}$	36	35 N.	4 E., B. M.	5338
NW $\frac{1}{4}$ SE $\frac{1}{4}$	36	35 N.	4 E., B. M.	5339
SE $\frac{1}{4}$ NW $\frac{1}{4}$	7	37 N.	4 E., B. M.	2335
SW $\frac{1}{4}$ SW $\frac{1}{4}$	17	37 N.	4 E., B. M.	2256
SE $\frac{1}{4}$ SE $\frac{1}{4}$	18	37 N.	4 E., B. M.	2257
NE $\frac{1}{4}$ NE $\frac{1}{4}$	16	36 N.	5 E., B. M.	4979



Lot 1

31

36 N.

5 E. B. M.

2259

 $NE^{1/4}NW^{1/4}$ 

31

36 N.

5 E. B. M.

2258

and that the said lands, and all thereof, are included in grants to or selections by the State of Idaho approved prior to January 1st, 1915, and that no deed, patent, or other conveyance of said lands, or any part thereof, was executed and delivered by the State of Idaho prior to said last mentioned date; except that certificates of sale as above numbered, were issued by the State covering the lands last above described prior to said first day of January, 1915.

In Testimony Whereof I have hereunto set my hand and affixed the Seal of the said State Board of Land Commissioners at Boise, capital of said State, this 5th day of May, A. D. 1916.

(Seal)

HEBER Q. HALE,

Register of the State Board of Land

Commissioners of the State of Idaho.

Defendant's Exhibit No. 40.

Filed May 13, 1916.

W. D. McReynolds, Clerk.

*DEFENDANT'S EXHIBIT NO. 41.*

Orofino, Idaho, Mar. 28, 1914.

Clearwater County, Dr.

To J. F. Gorman,

Feb. 1.	To 13 days Cruising Timber in	
	Jan. ....	91.00
Mar. 1.	To 11 days Cruising Timber in	
	Feb. ....	77.00
Mar. 1.	To 7 days Checking lumber at	
	Elk River ....	35.00
Mar. 1.	To Room and Hotel Bill.....	12.50
Mar. 1.	To R. R. fare and Expense Oro-	
	fino to Elk River ....	16.90
Mar. 28.	To 9 days Cruising timber in	
	March ....	63.00
		<hr/>
		295.40

O. K. P. H. Blake,

Assessor.

(Endorsed on back of said bill as follows:)

File No. ....

Warrant No. 6496-7

Drawn .....

Clearwater County, Idaho, Dr.

To

J. F. Gorman,

Current Exp. Fund.

\$295.40

For .....

Examined and allowed in the sum of \$295.40 the  
14th day of April, 1914,

Frank Zelenka,

Chairman of the Board.

State of Idaho,

County of Clearwater—ss.

The undersigned, being duly sworn, deposes and says that the within is a fully itemized, true and correct account against Clearwater County, Idaho, and that the same is justly due and that no part thereof has been paid.

J. F. Gorman.

Subscribed and sworn to before me this 27th day of March, 1914. P. H. Blake, Notary Public.

(Notarial Seal)

Filed 4/14.

Jos. Kauffman, Clerk.

By F. N. Shreve, Deputy.

Orofino, Idaho, July 1, 1914.

Clearwater County, Dr.

To J. F. Gorman.

April 8.	To Expense Paid L. W. Smith.....	\$13.15
"	" Paid L. W. Smith.....	3.00
"	" Tobiason & Son.....	13.60
"	" Elk River Dray, hauling supplies .....	8.00
"	" R. R. Fare Elk River to Orofino .....	8.45
"	" Orofino Trad. Co.....	1.05
"	" White Pine Trad. Co...	.60
"	F. R. Slocum .....	9.50
"	Cottage Hotel .....	9.00
"	Orofino Hotel .....	5.85
		<hr/> \$72.20

O. K.

P. H. BLAKE, Assessor.

(Endorsed: Examined and allowed \$72.20, July 15, 1914. Frank Zelenka, Chairman of Board. Endorsement and verification conforming to that shown in first bill of this exhibit.)

Orofino, Idaho, July 1, 1914.

Clearwater County, Dr.

To J. F. Gorman.

May	1.	To 24 days Cruising @ \$7.00 . . . . .	\$168
June	1.	To 20 days Cruising @ \$7.00 . . . . .	140
June	1.	To 6 days in Assessor's office, \$3.00 . .	18
July	1.	To 21 days Cruising, \$7.00 . . . . .	147
		To 7 days in Assessor's office, \$3.00 . .	21
			<hr/>
			\$494

O. K.

P. H. BLAKE, Assessor.

(Endorsed: Examined and allowed \$494.00, July 15, 1914. Frank Zelenka, Chairman of Board. Endorsement and verification conforming to that shown in first bill of this exhibit.)

Orofino, Idaho, Nov. 6th, 1914.

Clearwater County, Dr.

To J. F. Gorman.

Nov.	1.	To 16 days Cruising in Oct. @ \$7.00 .	\$112
	6.	To 5 days Cruising in Nov., \$7.00 . .	35
		To 1 day Checking up plats, \$3.00 . .	3
			<hr/>
			\$150

O. K.

P. H. BLAKE, Assessor.

(Endorsed: Examined and allowed \$150.00 Nov. 9, 1914. Frank Zelenka, Chairman of Board. Endorsement and verification conforming to that shown in first bill of this exhibit.)

Orofino, Idaho, Nov. 6, 1914.

Clearwater County, Dr.

To J. F. Gorman.

Nov. 6.	To R. R. Fare Spokane to Orofino..	\$ 4.50
	To Ferrage Ahsahka.....	1.50
	To Elk River Hotel.....	4.50
Oct. 24.	To Elk River Dray line.....	5.00
	To Tobiason's Store, Elk River.....	11.55
	To Mrs. Duress for Horse Feed....	.50
	To Mrs. White, Ahsahka.....	.75
	To Dinner 3 men Robt. Lamont....	1.05
	To Board Elk River.....	3.85
Nov. 3.	To Mrs. Harry Wood, 2 men and horse feed .....	4.00
	To at Orofino.....	1.20
		<hr/>
		\$37.90

O. K.

P. H. BLAKE, Assessor.

(Endorsed: Examined and allowed, \$37.90, Nov. 9, 1914. Frank Zelenka, Chairman of Board. Endorsement and verification conforming to that shown in first bill of this exhibit.)

Orofino, Idaho, Nov. 16, 1914.

Clearwater County, Dr.

To J. F. Gorman.

Nov. 16.	To 8 days cruising at \$7.00 . . . . .	\$56.00
	To Expense paid John Gaffney for	
	3 men and team as per receipts . .	15.31
	To Money paid T. B. Reid . . . . .	4.30
		<hr/>
		\$75.61

O. K.

P. H. BLAKE, Assessor.

(Certified as true copies by Clerk of Board of County Commissioners.)

(Endorsed: Examined and allowed, \$74.61, Dec. 8, 1914. Frank Zelenka, Chairman of Board. Endorsement and verification conforming to that shown in first bill of this exhibit.)

Defendant's Exhibit No. 41.

Filed May 13, 1916.

W. D. McReynolds, Clerk.

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(Title of Court and Cause.)

PETITION FOR APPEAL.

To the Honorable Frank S. Dietrich, United States District Judge of the District of Idaho, Central Division.

The above named plaintiff, conceiving itself aggrieved by the judgment made and entered on the 11th day of September, 1916, in the above entitled cause, does hereby appeal from said judgment to the United States Circuit Court of Appeals, for the

Ninth Circuit, for the reasons specified in the assignment of errors which is filed herewith, and it prays that its appeal may be allowed and that citation issue as provided by law and that a transcript of the record, proceedings and papers upon which said judgment was based, duly authenticated, may be sent to the United States Circuit Court of Appeals, for the Ninth Circuit, sitting at San Francisco, and your petitioner further prays that the proper order touching the security to be required of it to effect its appeal be made.

Dated at Moscow, Idaho, this 4th day of January, 1917.

GEORGE W. TANNAHILL,  
PETERS & POWELL,  
H. B. BECKETT,

Attorneys for Plaintiff.

Endorsed: Filed Jan. 4, 1917.

W. D. McReynolds, Clerk.

By M. W. Griffith, Deputy.

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(Title of Court and Cause.)

ASSIGNMENT OF ERRORS.

Now, on the 4th day of January, 1917, comes the plaintiff, Dexter Horton Trust and Savings Bank, a corporation, by its attorneys and solicitors, George W. Tannahill, Peters and Powell and H. B. Beckett, and says that the decree entered in the above cause on the 11th day of September, 1916, is erroneous and unjust to the plaintiff for the following reasons:



I.

Because the court overruled the objection of the plaintiff to the reading from the deposition of the witness Frank Schreve, a witness for the defendant, of the answer to the following question propounded to the deponent by defendants' counsel:

"Please state whether or not any officials were present at that time, and, if so, who?"

To this the plaintiff objected on the ground that the first contract between Clearwater County and M. G. Nease, which was authorized at the meeting of the board of county commissioners of Clearwater County on February 24, 1914, had been rescinded and that no rights were being claimed in this suit under that contract. The plaintiff also objected upon the above ground to any testimony being received with reference to the commissioners' meeting of February 24, 1914. The objection was overruled. Thereupon the answer of the deponent was read as follows:

"ALL the members of the board were present to the best of my recollection and also P. H. Blake, the county assessor, and Mr. Portfors and Mr. Samson Snyder, and several other men, as well as Mr. Nease."

II.

Because the court, over the objection of the plaintiff, granted leave to the defendants to amend their answer so as to include therein the allegations of fraud and collusion not in the original answer substantially as follows: That the contract between the defendant, Clearwater County, and M. G. Nease,

of April 15, 1914, was entered into pursuant to a fraudulent and collusive agreement among themselves and P. H. Blake that the said M. G. Nease should be given a contract to cruise the timber in Clearwater County at a price greatly in excess of a fair and reasonable price and without competition; and that the said board of county commissioners and P. H. Blake fraudulently permitted the said M. G. Nease to cruise a large amount of taxable lands, viz: lands the title to which was then in the State of Idaho and in the United States Government; and that the said board of county commissioners and the said M. G. Nease fraudulently, and with the intent to prevent the taxpayers and interested persons in Clearwater County from taking action to test the validity of said contract for timber cruising, permitted the action of John H. Lewis against the board of county commissioners, et al., and the appeal taken from the order of the board of county commissioners, wherein the said county commissioners entered into said contract with M. G. Nease for the cruising of timber, under date of April 15, 1914, to remain on the docket in said Clearwater County for the purpose and with the intent to mislead the taxpayers and interested persons in said Clearwater County; and that said M. G. Nease, with the knowledge and consent of the board of county commissioners, and of the said P. H. Blake, hurriedly performed the work under his said contract and said work was inaccurate and of no value to Clearwater County for assessment purposes. That said county commissioners pretend-

ed to employ a man to check the work of said M. G. Nease and of his timber cruiser and said checker knew and had reason to know that the work of said M. G. Nease was incompetent and of no value to Clearwater County; that all of said information was known to the said board of county commissioners who, notwithstanding such information, knowingly permitted said M. G. Nease to file reports of cruising of timber lands in Clearwater County and allowed the same when said work was of no value, and that the reports of said checker were delivered secretly and privately to the board of county commissioners and said P. H. Blake, assessor of the defendant county.

### III.

Because the court over-ruled the objection of the plaintiff to the reading from the deposition of the witness Charles Portfors, a witness for the defendants, of the answer to the question propounded to the deponent by defendants' counsel. The witness had testified that he was a timber cruiser and that his method of cruising was to double run; that is, to pass through each forty acres twice in making his cruise. Thereupon the following question propounded to the witness by counsel for the defendants was read:

"Have you usually made any exceptions? If so, why and under what circumstances?"

Thereupon the plaintiff by its counsel objected to this question and to the witness' answer to the same being read upon the following grounds:

(a) That the purpose of the testimony sought to be elicited from the witness and also by subsequent questions was to show that the work done by the cruisers who were in the employ of M. G. Nease was not properly done and to examine into the question as to whether Nease had properly performed his contract in doing the work which he was required to do thereunder and to show that the work done by Nease in the performance of his contract had not in the opinion of the witness been done in a correct manner.

(b) That the board of county commissioners of Clearwater County was under the law charged with the duty and power of accepting or rejecting the work done by Nease and that, having accepted the same after the performance by Nease, the County is bound by such acceptance, which closes all inquiry into the question of whether the contract had been properly performed or not, in the absence of a showing that the commissioners had been induced to make such acceptance by some fraud or deceit practiced upon them in the matter of acceptance.

Thereupon the court ruled that the defendants would be permitted to show if they could that the work of the contractor Nease was so improperly done that no honest man would accept it for the reason that such facts if proven might reflect upon the motive of the parties to the contract in the letting of the same. Thereupon the deponent's answer to the question was read and was to the effect that he had run through forty-acre tracts occasionally four times

when he thought it necessary and occasionally made single runs. That he made single runs in burnt tracts when there was not enough timber to justify buying it, but not in green timber. And continuing the deponent Portfors further stated that four forty-acre tracts per day is a good average for a cruiser's work; that a cruise arrived at by passing once through each forty-acre tract would not have any value for assessment purposes because a man could not see the timber and get an average on a single run.

This ruling of the court was error.

#### IV.

Because the court erred in admitting in evidence Defendants' Exhibit Three under the following circumstances.

Defendants' Exhibit Three was identified by the witness M. G. Nease as the report of one Archie Young of his cruise on section four, township 39 north, range three east. This report was made by Archie Young to M. G. Nease and is dated April 25 and 26, 1914, and there is the following notation in the margin of this report: "These two forties were actually cruised, balance done in camp." When this document was offered in evidence by the defendants' counsel, plaintiff objected to its being received in evidence on the ground that the court could not in this case examine into the correctness of the work done by Nease and that all questions in regard to the sufficiency of the performance of the work had been concluded by the acceptance of the work by the de-



fendant county and that the evidence offered did not in any manner tend to substantiate any of the allegations of the answer of collusion or fraud.

The plaintiff by its counsel requested that it be understood that this objection be taken and considered as made to all evidence that should be offered for a like purpose.

Thereupon the court made the following ruling:

THE COURT:

“Of course, gentlemen, it ought to be understood at this time that if you are going into this matter at all you will have to take it up in such a way as to make it a circumstance tending to show a fraudulent agreement or understanding between this witness and the board of county commissioners. We can’t be drawn into an inquiry at this time as to the correctness of the work itself. In other words, we are not going to sit here as a board of county commissioners would sit for the purpose of determining whether or not the warrants should have been drawn or the bills allowed, unless you go further and show that there was a fraudulent understanding or collusive arrangement between this witness and the board of commissioners, pursuant to which the board went through the form of allowing his claims without examining into them, and they both understood that the work would not be properly done.”

Counsel for the defendants then stated to the court that they would later connect up the evidence offered

and that it was submitted for the purpose of showing fraud and collusion, because if that kind of work was passed by the commissioners that would tend to show such fraud and collusion.

The plaintiff by its counsel then made further objection to said report being received in evidence on the ground that there was no proof before the court as to who had made the annotation in the margin thereof. Thereupon the court made the following ruling:

"The objection is overruled provided it will be connected up in that way as suggested by counsel."

Thereupon the document was received in evidence and marked defendants' Exhibit Three. This evidence was never connected in the manner suggested by counsel for the defendants, or at all.

This ruling of the court was error.

## V.

Because the court overruled the objection of the plaintiff to the following question asked by the defendants' counsel upon direct examination of the witness M. G. Nease, a witness for the defendants:

"Have you any books or have you prepared any statement showing the names of all the men who worked for you and their actual time of employment and the amount paid and other figures and accounts tending to show what this work cost you?"

To this the plaintiff objected on the ground that the amount which it cost the witness to perform the work was immaterial to any of the issues in the case and that the amount paid by the witness to his men



was likewise immaterial to any of the issues of the case.

Thereupon the court overruled the objections of the plaintiff and the witness answered as follows:

“Partially so, yes.”

Proceeding the witness further testified that the statement was incomplete in that it did not show the amount of cash paid out at various times from his own pocket.

This ruling of the court was error.

## VI.

Because the court erred in admitting in evidence Defendants' Exhibit Four. This was a tabulated statement offered in evidence by the defendants showing the amount of timber, poles and ties, found by one Roy Wherry and one John Swanson in the cruise made by them for the defendant county in the months of March, April and May, 1916, as compared with the amount of the cruise of M. G. Nease for the defendant county of the same lands, to-wit:

The Southwest of the Northwest, and the Northwest of the Southwest of Section 27, and the Northeast Quarter, the West half of the Southeast Quarter, and the Southeast quarter of the Southeast quarter of Section 34, all in 35 North, Range 5 E. B. M. Also the South half of Section 13, all of Section 24, the North half of the Southeast quarter, and the North half of the Southwest quarter of Section 25, the East half of the Northeast quarter, the Northwest quarter of the Northeast quarter, the West half of

the Northwest quarter, the Southeast quarter of the Northwest quarter, and all of the South half of Section 26; the Southeast quarter of the Southwest quarter, and the Southwest quarter of the Southeast quarter of Section 33; the North half of the Northwest quarter of Section 34; the North half of the Northwest quarter, and the Southwest quarter of the Northwest quarter, and the West half of the Southwest quarter of Section 35, all in Township 37 north, Range Five E. B. M. The East half of the Southwest quarter, and all of the Southeast quarter of Section 2; the Northeast quarter, the East half of the Northwest quarter, the East half of the Southwest quarter, and all of the Southeast quarter of Section 11. The West half, and the East half of the Northeast quarter, and the Northeast quarter of the Southeast quarter of Section 14. The Northeast quarter, the West half of the Northwest quarter, the West half of the Southwest quarter, and the Southeast quarter of Section 24. The Northeast quarter, the West half of the West half, and all of the Southeast quarter of Section 25, all in Township 39 North, Range 5 E. B. M.

This statement shows the difference between the amount of each variety of timber found upon each forty-acre tract covered by the statement by Wherry and Swanson and the amount found thereon by Nease's cruiser. For example, it shows that Nease's cruiser found no timber on the East half of Section 34, Township 35 North, Range Five East, and that Mr. Wherry found thereon as follows:

On the Northeast quarter of the Northeast quarter, 15,000 white pine, 220 bull pine, 7,000 white fir, 135,000 red fir and 750 poles;

On the Northwest of the Northeast, 10,000 yellow pine, 120,000 bull pine, 65,000 white fir, 60,000 red fir, and 7,000 poles;

Southwest of the Northeast, 195,000 bull pine, 50,000 white fir, 80,000 red fir, 4,000 poles;

Southeast of the Northeast, 15,000 white pine, 160,000 bull pine, 50,000 white fir, and 155,000 red fir, and 7,500 poles.

Northwest of the Southeast, 10,000 white pine, 110,000 bull pine, 60,000 white fir, 140,000 red fir, 7,000 poles;

Southwest of the Southeast, 45,000 bull pine, 30,000 white fir, 50,000 red fir, 3,000 poles;

Southeast of the Southeast, 15,000 white pine, 10,000 yellow pine, 20,000 bull pine, 30,000 white fir, 85,000 red fir and 4,000 poles.

The statement shows that Nease estimated and reported to Clearwater County white pine upon section 25, township 37 north, range five east, and that Wherry and Swanson found thereon as follows:

Northeast of the Northeast, Nease, 500,000; Wherry, 865,000; Swanson, 880,000.

Northwest of the Northeast, Nease, 600,000; Wherry, 1,155,000; Swanson, 1,115,000.

Southwest of the Northeast, Nease, 500,000; Wherry, 600,000; Swanson, 545,000.

Southeast of the Northeast, Nease, 700,000; Wherry, 780,000; Swanson, 760,000.

Northeast of the Northwest, Nease, 250,000; Wherry, 175,000; Swanson, 185,000.

Northwest of the Northwest, Nease, 250,000; Wherry, 420,000; Swanson, 455,000.

Southwest of the Northwest, Nease, 300,000; Wherry, 700,000; Swanson, 690,000.

Southeast of the Northwest, Nease, 600,000; Wherry, 540,000; Swanson, 540,000.

Northeast of the Southwest, Nease, 350,000; Wherry, 505,000; Swanson, 520,000.

Northwest of the Southwest, Nease, 500,000; Wherry, 615,000; Swanson, 600,000.

Northeast of the Southeast, Nease, 900,000; Wherry, 1,175,000; Swanson, 1,120,000.

Northwest of the Southeast, Nease, 500,000; Wherry, 975,000; Swanson, 915,000.

Southwest of the Southeast, Nease, 500,000; Wherry, 765,000; Swanson, 790,000.

Southeast of the Southeast, Nease, 200,000; Wherry, 245,000; Swanson, 250,000.

The remainder of the statement is of like nature showing differences in varying degrees between the estimates of Wherry and Swanson and the Nease cruiser of timber upon the several forty acres covered by the statement.

The plaintiff by its counsel objected to the statement being received in evidence on the following grounds:

The purpose of the statement offered is to show that the cruise made by Mr. Wherry and Mr. Swanson in March, April and May, 1916, is at variance

with the cruise made by Mr. Nease under his contract and filed with the county. It does not tend to show any collusion or fraud. That the fact, if such it be, that the estimates made by Wherry and Swanson did not agree with the estimates made by Nease's cruise of the same land is not material to any of the issues in this case. The question whether the Nease cruise is in some respects inaccurate is not a matter to be tried in this case.

(2) That under the terms of the contract between Nease and the defendant county, Nease was bound and it was his privilege to recruise and make good any work that the county rejected. If any of Nease's work was faulty the remedy of the county was to require the work to be made good.

(3) After having accepted the work the county could not now relieve itself from such acceptance by showing that some of the work was improperly done.

(4) That the contractor Nease gave a bond to the defendant county for the faithful performance of his work. There is no evidence or claim that there has been any concealment from the county of the character of the work done.

The court overruled the objection and permitted the statement to be received in evidence.

This ruling of the court was error.

## VII.

Because the court erred in admitting in evidence Defendants' Exhibit Number Five, which was a statement offered in evidence by the defendants comparing the amount of timber estimated by Mr. Roy



Wherry upon certain lands therein described as compared with the amount reported thereon by M. G. Nease to the defendant county as the result of the cruise by his men of the same lands, to-wit:

The statement shows that Nease estimated and reported to Clearwater County white pine upon sections 25 and 35 in Township 37 North, Range five East, and that Wherry found thereon as follows:

Southwest of the Southwest of Section 25, Nease, 200,000; Wherry, 260,000;

Southeast of the Southwest of Section 25, Nease, 200,000; Wherry, 225,000;

Northwest of the Northeast of Section 35, Nease, 150,000; Wherry, 290,000;

Southwest of the Northeast, Nease, 0; Wherry, 100,000;

Southeast of the Northeast, Nease, 150,000; Wherry, 520,000;

Southeast of the Northwest, Nease, 100,000; Wherry, 75,000.

The remainder of the statement is of like nature showing differences in varying degree between the estimates of Wherry and Nease's cruiser of timber upon the several forty acres covered by the statement.

The plaintiff objected to the statement being received in evidence upon the same grounds upon which it objected to the introduction of evidence of Defendants' Exhibit Number Four. The objection was overruled and the statement was received in evidence and marked Defendants' Exhibit Number Five. This ruling of the court was error.

## VIII.

Because the court erred in admitting in evidence Defendants' Exhibit Number Eleven, which is the topographic sketch on the back of the original field report of the witness Roy Wherry of his cruise of Section six, Township 38 North, Range six East, which he made for M. G. Nease, and the original topographic plat of said section turned in by Nease as a part of his report on the same section to Clearwater County.

The plaintiff objected to said documents being received in evidence on the ground that they did not tend to prove anything which is in issue in the case. The court overruled the objection and the said document was received in evidence and marked Defendants' Exhibit Eleven. This ruling of the court was error.

## IX.

Because the court erred in admitting in evidence Defendants' Exhibit Number Eighteen, which was a statement identified by the witness James A. Morrow, showing the comparative results of the cruise of certain lands made by James A. Morrow and the cruise made by Nease for Clearwater County of the same lands, to-wit:

The statement shows that Nease estimated and reported to Clearwater County, white pine upon section 18, township 35 north, range five east, and that Morrow found thereon as follows:

Northeast of the Northeast, Nease, 35,000 yellow pine, 10,000 bull pine, 15,000 white fir, 35,000 red



fir, 10,000 tamarack; Morrow, 210,000 yellow pine, 80,000 white fir, 380,000 red fir, 70,000 cedar, 20,000 cedar poles.

Southeast of the Northeast, Nease, 20,000 yellow pine, 10,000 bull pine, 20,000 white fir, 30,000 red fir, 10,000 tamarack; Morrow, 320,000 yellow pine, 170,000 red fir.

Northeast of the Southeast, Nease, 85,000 yellow pine, 50,000 white fir, 65,000 red fir, 90,000 tamarack, 10,000 spruce, 15,000 cedar, 7,000 cedar poles; Morrow, 215,000 yellow pine, 200,000 white fir, 320,000 red fir, 100,000 cedar, 90,000 cedar poles.

Southwest of the Northeast, Nease, 20,000 white pine, 85,000 yellow pine, 120,000 white fir, 85,000 red fir, 25,000 tamarack, 25,000 spruce, 5,000 cedar poles; Morrow, 50,000 yellow pine, 70,000 white fir, 230,000 red fir, 70,000 cedar poles.

Northwest of the Northeast, Nease, 15,000 white pine, 85,000 yellow pine, 125,000 white fir, 80,000 red fir, 20,000 tamarack, 30,000 spruce, 5,000 cedar poles; Morrow, 35,000 white pine, 120,000 yellow pine, 90,000 white fir, 330,000 red fir, 55,000 cedar, 100,000 cedar poles.

Southwest of the Southeast, Nease, 25,000 yellow pine, 120,000 white fir, 90,000 red fir, 100,000 tamarack, 30,000 spruce, 20,000 cedar, 5,000 cedar poles; Morrow, 140,000 yellow pine, 100,000 white fir, 180,000 red fir, 10,000 cedar, 20,000 cedar poles.

Northwest of the Southeast, Nease, 30,000 yellow pine, 20,000 bull pine, 250,000 white fir, 75,000 red fir, 100,000 tamarack, 25,000 spruce, 15,000 cedar,

5,000 cedar poles; Morrow, 100,000 yellow pine, 90,000 white fir, 240,000 red fir, 25,000 cedar.

Northeast of the Southwest, Nease, 80,000 yellow pine, 45,000 bull pine, 35,000 white fir, 125,000 red fir, 50,000 tamarack, 20,000 spruce, 4,000 cedar poles; Morrow, 20,000 white pine, 65,000 yellow pine, 110,000 white fir, 300,000 red fir.

Southeast of the Southwest, Nease, 60,000 yellow pine, 50,000 bull pine, 100,000 white fir, 175,000 red fir, 155,000 tamarack, 85,000 spruce, 3,000 cedar poles; Morrow, 10,000 white pine, 340,000 yellow pine, 100,000 white fir, 480,000 red fir.

Southwest of the Southwest, Nease, 225,000 yellow pine, 70,000 bull pine, 75,000 white fir, 230,000 red fir, 75,000 tamarack, 15,000 spruce, 7,000 cedar poles; Morrow, 210,000 yellow pine, 70,000 red fir.

Southeast of the Northwest, Nease, 40,000 white pine, 90,000 yellow pine, 90,000 white fir, 150,000 red fir, 10,000 tamarack, 25,000 cedar poles; Morrow, 20,000 white pine, 225,000 yellow pine, 140,000 white fir, 510,000 red fir, 260,000 cedar, 240,000 cedar poles.

The plaintiff objected to the said statement being received in evidence for the reason that a comparison of the cruises made by Mr. Nease and Mr. Morrow upon the same lands was not relevant or material to any of the issues in the case. The objection was overruled by the court and the statement was received in evidence and marked Defendants' Exhibit 18. This ruling of the court was error.

X.

Because the court erred in admitting in evidence Defendants' Exhibit Number 21, which is the complaint filed by one John Lewis in a suit against Frank Zelenka, and others, to enjoin the board of county commissioners of Clearwater County from proceeding further under their first contract with M. G. Nease and to cancel the same.

The plaintiff objected to the same being received in evidence upon the ground that the suit in which the complaint was filed never passed to judgment and did not tend to prove any of the issues in the case on trial.

The court overruled this objection and the complaint was received in evidence and marked Defendants' Exhibit No. 21.

This ruling of the court was error.

XI.

Because the court erred in admitting in evidence Defendants' Exhibit Number 33 under the following circumstances.

The defendants' counsel propounded the following question to the witness M. G. Nease, a witness for the defendant:

"Have you prepared any statement with reference to the cost of this cruise?"

To which the witness answered: "Some."

Thereupon the defendants' counsel asked the witness Nease the following question:

"Will you produce it?"

The plaintiff then objected to the question and to

the reception of any evidence of the cost of the witness Nease of the cruise on the ground that such cost was irrelevant and immaterial to any of the issues in the case and would not in any way tend to prove what was a reasonable contract price for the work. The court then overruled the objection and the witness Nease produced a statement of the amounts paid by him to his cruisers and compassmen when employed in the work of cruising for the defendant county and the defendants' counsel then offered the same in evidence. The plaintiff by its counsel objected to the reception of the said statement in evidence on the ground that the same did not tend to prove any of the issues in the case, did not tend to prove whether the contract was entered into in good faith and did not tend to show what was a fair contract price for the work. The court then overruled the objection and the statement was received in evidence and marked Defendants' Exhibit Number 33.

The ruling of the court in admitting the statement in evidence was error.

## XII.

Because the court erred in admitting any evidence in regard to the cost to M. G. Nease of the work done by him for the defendant county under his contract with it.

## XIII.

Because the court erred in overruling the objection of the plaintiff to the following question asked by the defendants' counsel of the witness L. E. Albright, a witness for the defendant:

“How many times did Mr. Weir pass through each forty while you were working with him?”

The plaintiff objected to this question and to the witness answering the same on the ground that the evidence sought to be adduced was incompetent, irrelevant and immaterial and did not tend to show that the transaction in question was not in good faith nor tend to impeach the contract sued upon. And the plaintiff's counsel then requested that the objection might be understood as going to all evidence offered for the same purpose; and the court rules that it would be so understood and thereupon overruled the objection; and the witness answered:

“A double run for about a week and a single run the balance of the time.”

This ruling of the court was error.

#### XIV.

Because the court erred in admitting over the objection of the plaintiff any evidence as to the character or inaccuracy of the work furnished and done by M. G. Nease in performance of his contract with the defendant county dated April 15, 1914.

#### XV.

Because the court erred in admitting in evidence Defendants' Exhibit Number 35, which was the field book used by the witness L. E. Albright in his work with the witness Roy Wherry and the witness John Swanson in their doing check cruising for the defendant county in the months of March, April and May, 1916. This book was offered in evidence by the defendants' counsel and the plaintiff objected to the



same being received in evidence upon the same ground that the plaintiff had theretofore objected to the evidence of the work done by the witness Wherry and the witness Swanson and especially defendants' exhibits four and five and particularly upon the ground that there was no issue in the case on trial as to whether Nease's work had been accurately or inaccurately done, and that if any of the work done by Nease for the defendant county was inaccurate the remedy of the county was to require Nease under the terms of his contract to make good the work. The court overruled the objections and the field book was thereupon received in evidence and marked Defendants' Exhibit 35. This ruling of the court was error.

#### XVI.

Because the court erred in adjudging and decreeing that the bill of the plaintiff be dismissed and that the defendants recover their costs of the plaintiff.

#### XVII.

Because the court erred in failing and refusing to adjudge and decree that the said defendants, and especially said defendant treasurer, Oren D. Crockett, as treasurer of the defendant county, be restrained and enjoined from paying out of the current redemption fund of the said county any warrants drawn by said county and payable out of said fund while there should remain outstanding and unpaid any of the plaintiff's warrants of prior registry and described in the bill of complaint.

XVIII.

Because the court erred in failing and refusing to adjudge and decree that the said defendants, and especially said defendant treasurer, be required to call and pay out of the warrant redemption fund of the defendant Clearwater County all of the outstanding warrants of said county held by the plaintiff and described in its bill of complaint in the order in which the same were in point of time registered by the said treasurer.

XIX.

Because the court erred in failing and refusing to enter a decree for the plaintiff and against the defendant county for the sum of Forty-nine Thousand Five Hundred Sixty-one and 99/100 Dollars, being the amount, principal and interest, due, at the date of the entry of the decree, to the plaintiff from the defendant county for and on account of said warrants.

XX.

Because the court erred in failing and refusing to enter a decree adjudging that each of the warrants described in the plaintiff's bill of complaint was a valid obligation of the defendant Clearwater County for the amount for which the same was drawn with interest.

XXI.

Because the court erred in failing and refusing to enter a decree adjudging that the defendant Clearwater County was indebted to the plaintiff in the sum of Forty-nine Thousand Five Hundred Sixty-one and



99/100 Dollars for and on account of the labor and material furnished to the said county by M. G. Nease in the performance of the contract between the said Nease and the said county dated April 15, 1914.

XXII.

Because the court erred in failing and refusing to enter a decree adjudging that the claims of M. G. Nease, allowed by the board of county commissioners of Clearwater County for work performed and materials furnished by M. G. Nease to the said county under the contract in writing between said M. G. Nease and said Clearwater County, dated April 15, 1914, were each and all valid debts against said Clearwater County.

GEO. W. TANNAHILL,  
PETERS & POWELL,  
H. B. BECKETT,

Solicitors for Plaintiff.

Endorsed: Filed January 4, 1917.

W. D. McReynolds, Clerk.

By M. W. Griffith, Deputy.

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(Title of Court and Cause.)

ORDER ALLOWING APPEAL AND FIXING  
AMOUNT OF BOND.

Now, on this 8th day of January, 1917, this matter came on to be heard upon the petition of the said Dexter Horton Trust and Savings Bank, for an appeal, and the court being advised in the premises:

IT IS ORDERED, that petitioner's appeal in said matter to the United States Circuit Court of Appeals

for the Ninth Circuit be and the same is hereby allowed, and that a certified transcript of the record, proceedings, orders, decree and testimony and all other proceedings in said matter be transferred to the United States Circuit Court of Appeals for the Ninth Circuit.

IT IS FURTHER ORDERED that the bond on the appeal of the said petitioner be fixed at the sum of One Thousand Dollars, to cover all damages and costs if the appellant shall fail to make its appeal good.

Done in open court this 8th day of January, 1917.

WM. B. GILBERT,  
Judge, United States Circuit Court  
of Appeals, Ninth Circuit.

Endorsed: Filed January 10, 1917.

W. D. McReynolds, Clerk.

By M. W. Griffith, Deputy.

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(Title of Court and Cause.)

APPEAL BOND.

*Know All Men By These Presents:*

That we, the Dexter Horton Trust and Savings Bank, a corporation, as Principal, and AMERICAN SURETY COMPANY OF NEW YORK, as surety, acknowledge ourselves to be jointly indebted to the County of Clearwater, of the State of Idaho, and to Oren D. Crockett, as treasurer of said county, appellees in the above entitled cause, in the sum of One Thousand Dollars, conditioned that:

Whereas, on the 11th day of September, 1916, in the United States District Court for the District of Idaho, Central Division, in an action depending in that court wherein the Dexter Horton Trust and Savings Bank, a corporation, was plaintiff, and the County of Clearwater, State of Idaho, and Oren D. Crockett, as treasurer of said county, were defendants, numbered 639 on the Equity Docket of said court, judgment was rendered dismissing the suit of the said plaintiff, the Dexter Horton Trust and Savings Bank, and the said Dexter Horton Trust and Savings Bank, having obtained an appeal to the United States Circuit Court of Appeals for the Ninth Circuit, filed a copy thereof in the office of the clerk of court to reverse said judgment;

Now, if the Dexter Horton Trust and Savings Bank shall prosecute its appeal to effect and answer all costs if it fails to make its appeal good, then the above obligation to be void, otherwise to remain in full force and virtue.

DEXTER HORTON TRUST AND SAVINGS  
BANK.

By W. H. Parsons,  
Its Vice President.

AMERICAN SURETY COMPANY OF NEW  
YORK.

(Corporate Seal)     By S. H. Melrose,  
Resident Vice President.

By A. E. Krull,  
Resident Assistant Secretary.

Countersigned by:

CHARLES PETERSON,

Agent American Surety Company,  
Moscow, Idaho.

Approved as to form and sufficiency of surety this  
8th day of January, 1917.

WM. B. GILBERT,  
Judge U. S. Circuit Court of Appeals,  
Ninth Circuit.

Endorsed: Filed January 10, 1917.

W. D. McReynolds, Clerk.

By M. W. Griffith, Deputy.

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(Title of Court and Cause.)

ORDER DIRECTING ORIGINAL DOCUMENTS  
TO BE SENT TO THE CIRCUIT COURT OF  
APPEALS.

Upon motion of the plaintiff and upon the stipulation of the plaintiff and the defendants it is

ORDERED that the following original documents and exhibits, which are a part of the statement of the evidence on appeal this day approved by this court, be, by the clerk of this court, sent up to the circuit court of appeals of the Ninth Circuit in lieu of printed copies of the same and the clerk of this court shall not be required to make printed copies of the same. The original documents and exhibits which are hereby directed to be sent up to the Circuit Court of Appeals are the exhibits marked and referred to in said statement of the evidence as follows:

Defendants' Exhibits numbered 3, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 20, 20-a, 23, 24, 35, 36, 37, 38 and 39.

Plaintiff's Exhibits No. 1 and No. 2, except that warrants numbered 7543, 7713 and 7308 shall be printed. Plaintiff's Ex. 27.

Done and ordered at Boise, Idaho, this 7th day of March, 1917.

FRANK S. DIETRICH,  
Judge.

Endorsed: Filed March 7, 1917.

W. D. McReynolds, Clerk.

By Pearl E. Zanger, Deputy.

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(Title of Court and Cause.)

PRAECIPE.

To the Clerk of the above entitled court:

You will please prepare a transcript of the record in the above entitled cause for use on appeal to the United States Circuit Court of Appeals for the Ninth Circuit, to be transmitted in printed form to the Clerk of said Circuit Court of Appeals, and you will please incorporate into such transcript the following portions of the record in this cause:

1. The Bill of Complaint;
2. The Plaintiff's motion for a temporary injunction and Notice of Hearing thereof with the defendants' acceptance of service thereon;
3. The Defendants' Answer;
4. Amendments to Defendants' Answer;
5. Plaintiff's Reply;
6. Amendments to Plaintiff's Reply;
7. Decree;
8. Assignments of Error;
9. Petition for Appeal;
10. Order allowing Appeal;
11. Appeal Bond;



12. Stipulation that plaintiff should have until January 1, 1917, to prepare and lodge with the clerk a proposed statement of the evidence to be used upon appeal;

13. Order granting to plaintiff until January 1, 1917, within which to lodge proposed statement of the evidence to be used on appeal;

14. Statement of the Evidence;

15. Notice by the plaintiff to the defendants that the plaintiff would request the judge to approve the statement of the evidence on the 25th day of January, 1917;

16. Stipulation that proposed statement of the evidence may be submitted to Judge Dietrich for his approval upon his return into the District of Idaho from New York;

17. Decision of the Court, Hon. Frank S. Dietrich, Judge.

The original Citation, with defendants' acceptance of service thereon, should accompany the transcript.

GEO. W. TANNAHILL,

PETERS & POWELL,

Attorneys for Plaintiff.

Due service of the above praecipe and the receipt of a true copy thereof acknowledged this 18th day of January, 1917.

FRED E. BUTLER,

Attorney for Defendants.

Endorsed: Filed Jan. 19, 1917.

W. D. McReynolds, Clerk.

By M. W. Griffith, Deputy.

(Title of Court and Cause.)

SUPPLEMENTAL PRAECIPE.

To the Clerk of the above entitled court:

You will please prepare as part of the record on appeal to be transmitted to the United States Circuit Court of Appeals for the Ninth Circuit, the following:

1. Court's Amendment to opinion or findings.
2. Stipulation filed February 26, 1917, for amendments to proposed Statement of Evidence.
3. Notice filed February 26, 1917, of intention to request Judge to approve proposed Statement of Evidence.
4. Order dated March 7, 1917, directing original exhibits to be sent to Circuit Court of Appeals.
5. Original praecipe.
6. This supplemental praecipe.
7. Stipulation filed January 16, 1917, extending time for filing praecipe.

PETERS & POWELL,

Attorneys for Plaintiff.

Endorsed: Filed March 7, 1917.

W. D. McReynolds, Clerk.

By Pearl E. Zanger, Deputy.

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(Title of Court and Cause.)

SECOND SUPPLEMENTAL PRAECIPE.

To the Clerk of the above entitled court:

You will please print as a part of the Statement of the Evidence included in the transcript of the record on appeal, the following exhibits:



1. Plaintiff's Exhibits Nos. 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 28, 29.

Warrant No. 7308 being part of Plaintiff's Exhibit No. 1; warrants Nos. 7543 and 7713 being part of Plaintiff's Exhibit No. 2.

2. Defendants' Exhibits Nos. 4, 5, 18, 19, 21, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 40, 41.

3. Copy of minutes of meeting of Board of County Commissioners of March 21st, 1914, attached to deposition of Charles Portfors.

4. Copy of minutes of meeting of Board of County Commissioners of March 28th, 1914, attached to deposition of Charles Portfors.

PETERS & POWELL,  
Attorneys for Plaintiff.

Filed March 8, 1917.

W. D. McReynolds, Clerk.

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*In the United States Circuit Court of Appeals for  
the Ninth Circuit.*

DEXTER HORTON TRUST AND SAVINGS  
BANK, a corporation, Appellant,  
vs.

THE COUNTY OF CLEARWATER of the State  
of Idaho, and OREN D. CROCKETT, as treasurer  
of said county, Appellees.

No. 639.

CITATION.

*The United States of America:*

To the County of Clearwater, of the State of Idaho,  
and Oren D. Crockett, as treasurer of said county,  
GREETING:

You, and each of you, are hereby notified that in a certain suit in the United States District Court for the District of Idaho, Central Division, wherein Dexter Horton Trust and Savings Bank, a corporation, is plaintiff, and County of Clearwater and Oren D. Crockett, as treasurer of said county, are defendants, an appeal has been allowed the plaintiff therein to the United States Circuit Court of Appeals, for the Ninth Circuit.

You are hereby cited and admonished to be and appear in said United States Circuit Court of Appeals for the Ninth Circuit, at the city of San Francisco, State of California, thirty days after the date of this citation, to show cause, if any there be, why the order and decree appealed from should not be corrected and speedy justice done to the parties in that behalf.

Witness the Honorable William B. Gilbert, Judge of the United States Circuit Court of Appeals for the Ninth Circuit, this tenth day of January, 1917.

WM. B. GILBERT,  
Judge United States Circuit Court  
of Appeals for the Ninth Circuit.

Received a copy of the above and foregoing citation this 15th day of January, 1917.

FRED E. BUTLER,  
Attorney for Defendants.

Filed January 16, 1917.

W. D. McReynolds, Clerk.

By M. W. Griffith, Deputy.

RETURN TO RECORD.

And thereupon it is ordered by the court that the foregoing transcript of the record and proceedings in the cause aforesaid, together with all things thereunto relating, be transmitted to the United States Circuit Court of Appeals for the Ninth Circuit, and the same is transmitted accordingly.

W. D. McREYNOLDS,

(Seal)

Clerk.

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(Title of Court and Cause.)

CERTIFICATE OF CLERK TO TRANSCRIPT  
OF RECORD.

United States of America,  
District of Idaho,—ss.

I, W. D. McReynolds, clerk of the United States District Court for the District of Idaho, do hereby certify 796 printed pages, numbered from 1 to 796, inclusive, constituting two volumes, to be a full, true and correct and complete copy of so much of the record, papers, exhibits and other proceedings in the above and foregoing entitled cause as are necessary to the hearing of said cause in the United States Circuit Court of Appeals for the Ninth Circuit and as is called for by counsel of record herein, as the same remain of record and on file in the office of the clerk of said district court, and that said printed pages, together with the original exhibits, separately certified, constitute the record herein on appeal from the judgment of said United States District Court for the District of Idaho, Central Division, to the United

States Circuit Court of Appeals for the Ninth Circuit, and I hereby further certify that the printed volume, of which this is a part, is one of the volumes of the printed copy of said record hereby certified and constitutes a part thereof.

I further certify that the cost for preparing and certifying and printing record, amounting to \$1074.-90, has been paid to me by counsel for complainants.

IN WITNESS WHEREOF I have hereto set my hand and affixed the seal of said Court at Boise, in said district, this 31st day of March, 1917.

W. D. McREYNOLDS,  
Clerk United States District Court.

(Seal.)

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Service and copy of the foregoing Transcript on Appeal accepted this 31st day of March, 1917.

FRED E. BUTLER,  
Attorney for Defendants and Appellees.  
JB.